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ABSTRACT

This directory contains results of a nation-wide survey of state regulatory agencies on family day care licensing information. Data on family day care homes and group or large family day care homes are included. The study reflects changes in regulations in the states as a result of the guidelines for the Child Care and Development Block Grant. Included is a glossary of terms, a table listing each state's regulatory requirements for family care homes, a copy of the survey, and a list of contacts in each state's regulatory office. The directory is arranged alphabetically by state, including the District of Columbia. Each state's entry includes the following twenty categories: (1) number of homes; (2) provider regulations; (3) unannounced inspection procedures; (4) complaint procedures; (5) provider qualifications; (6) provider training and orientation; (7) discipline policy; (8) emergency medical consent policy; (9) immunization policy for children; (10) national life safety fire code policy; (11) nutrition policy; (12) smoking policy; (13) before and after school programs; (14) infant care programs; (15) programs for children with disabilities; (16) sick child care programs; (17) zoning regulations; (18) available resources; (19) local contact; and (20) pending or new legislation. (SW)

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1994
Family Day Care Licensing Study

Family Day Care Advocacy Project

25th
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THE 1994 FAMILY DAY CARE LICENSING STUDY

1994 FAMILY DAY CARE LICENSING STUDY

Introduction

The 1994 Family Day Care Licensing Study contains the results of a nationwide survey of state regulatory agencies to update family day care licensing information gathered in 1993. Data on family day care homes (FDCH) and group or large family day care homes (LFDCH or GDCH) is included. The information is organized into twenty categories, some with subcategories:

Number of Homes
Provider Regulations
Unannounced Inspection Procedure
Complaint Procedure
Provider Qualifications
Provider Training and Orientation
Discipline Policy
Emergency Medical Consent Policy
Immunization Policy for Children
National Life Safety Fire Code Policy
Nutrition Policy
Smoking Policy
Before and After School Programs
Infant Care Programs
Programs for Children with Disabilities
Sick Child Care Programs
Zoning Regulations
Available Resources
Local Contact
Pending/New Legislation

The 1994 Study reflects changes in regulations in the states as a result of the guidelines for the Child Care and Development Block Grant (CCDBG). You will find that many states have changed all or part of their regulations, or created new categories of regulation (voluntary registration/voluntary certification) in the process of complying with CCDBG. Some states have new regulations in promulgation; still others will be implementing new regulations later in 1994. Where possible we have tried to indicate this information.

We acknowledge that the 1994 Study is current only as of the date on which the information was supplied by each state. If a state has provided no new information, 1993 data has been reprinted and so noted.

It is the intention of The Children's Foundation that the information in this Study be useful to child care providers, advocates, the media, and policy makers as each group makes decisions or works on behalf of children and families.

Methodology

This Study is an annual update of information originally compiled in 1976. The data was secured from the central regulatory agency in each of the 50 states and the District of Columbia. The agencies were asked to examine the information we had printed in the 1993 Study and answer additional new questions on family day care homes and large family day care homes. These additional questions are formulated from requests for information which The Foundation receives from readers of the Study during the year. This mailing took place during May, 1994.

After the new information was gathered, proof sheets were sent back to the regulatory agencies for verification. This took place during the months of June and July. If a state has two asterisks (**) after the state name, it means that the state did not re-verify the information by date of press.

The name and address of the state regulatory office that supplied and/or verified the information for that state is located at the top of each state's fact sheet. A complete list of the state contacts is listed at the end of the Study.

Acknowledgements

We are grateful to the various child care officials in state offices across the country who took time out of their busy schedules to provide and re-verify the information contained in this Study.

We thank Rebecca Gordon and Christine Levonian who gathered, collated, compiled and entered into the computer the information for this year's Study as it came in from the various states. Also, thanks to Sandra Gellert, Director of the Family Day Care Advocacy Project, who supervised this year's update.

We hope that this Family Day Care Licensing Study will be of continuing value to those working in the many and growing areas of the family day care profession.

Kay Hollestelle
Executive Director

The 1993 FAMILY DAY CARE LICENSING STUDY is available from The Children's Foundation, 725 Fifteenth Street, NW, Suite 505, Washington, DC 20005-2109. The cost is $25.00 plus 15% for shipping and handling. Orders must be prepaid; US currency only. Bulk prices available upon request.

NO PORTION OF THIS STUDY MAY BE COPIED WITHOUT THE WRITTEN PERMISSION OF THE CHILDREN'S FOUNDATION.

DEFINITION OF TERMS

The terms defined are ones used by The Children's Foundation in this Licensing Study. We have attempted to be as clear and precise as possible in order to help the reader better understand the data contained in this Study. However, variations do exist from state to state. Please refer to individual state information or contact the individual state for a complete copy of the regulations if questions arise.

CERTIFICATION: Refer to definition of Registration. For all practical purposes is the same as registration but may be linked to providers receiving public funds.

CHILD AND ADULT CARE FOOD PROGRAM (CACFP): A program which is part of the National School Lunch Act. At the national level it is administered by the U.S. Department of Agriculture. It offers cash reimbursements and donated commodities to child care facilities, including family day care homes, that serve food to children. The program also promotes well balanced meals for young children. All reimbursable meals and snacks must meet nutritional guidelines.

EXEMPT CARE: Some states do not require family day care providers to be regulated when caring for less than a certain number of children. Example: Registration is required in PA when caring for 4-6 children and licensing for 7-12; however, a provider is legally exempt from regulation if caring for only 1-3 children.

FAMILY DAY CARE HOME (FDCH): also referred to as **FAMILY CHILD CARE HOMES (FCCH)** and **FAMILY DAY HOMES (FDH)**. A child care arrangement in which generally up to six children, including those of the caregiver under age six, are cared for in the home of the provider for compensation. State laws vary in determining the maximum number of children allowed in the home. The age of the children is also sometimes used in establishing maximums.

FAMILY DAY CARE PROVIDER: Any individual who provides child care in his/her home for less than a continuous 24 hour period to unrelated children for compensation.

INFANT: A child twenty-four months (2 years) old or younger. If this information varies in a state, the variation has been noted.

LARGE FAMILY DAY CARE HOME (LFDCH): also referred to as **GROUP HOMES (GDCH)** and **FAMILY CHILD CARE GROUP HOME (CCGF)**. A child care arrangement in which a provider generally cares for seven to twelve children, including those of the provider and any assistants, in the home of that provider with one or more assistants present for compensation. State laws vary in determining the maximum number of children allowed in the home and the number of assistants required. The age of the children is also sometimes used in establishing maximums.

LICENSING: The granting of formal permission by a designated state or local agency to an individual or legal entity to operate a child care facility. The state/local agency has the authority to ensure that standards are being met, set procedures for revoking a license and provide appeal mechanisms. In addition to the inspections carried out by the licensing agency, local fire and health departments also carry out on-site inspections of family day care homes. Generally, a license is issued and renewed as long as all of the applicable regulations are being met. The purpose, then, is to protect vulnerable consumers by setting a minimum floor for reasonably safe service.

ORIENTATION: An introduction to the profession of family day care offered to prospective providers. The state regulations regarding family day care, an overview of how to establish a family day care home, and the responsibilities of family day care providers are all topics that are normally covered in an orientation. Orientations are usually provided by local regulatory agencies.

NUMBER OF HOMES: Each state regulatory office provides the most current information available about the number of regulated family day care and group family day care homes in that state. It should be noted, however, that maintaining an accurate number of the regulated active family day care providers is an extremely difficult task due to the turnover rate in the profession. Also, in some states other local entities such as cities or counties have the responsibility for regulating homes in their jurisdiction and may not be a part of the state's number.

PROGRAMS FOR CHILDREN WITH DISABILITIES: This represents a change (from Special Needs Programs) in order to meet the requirements of the Americans with Disabilities Act of 1990 (ADA) to use "people first" language.

REGISTRATION Type 1: Registration is a form of regulation that stresses caregiver self-inspection and parent awareness. It is intended to identify service providers that the government cannot or chooses not to license. The process works in the following way. Registration standards are determined. These are generally the standards used in licensing. When the provider receives information detailing these standards, she/he does a self-study to determine whether these standards are met. This study usually includes self-certification that the provider has met certain fire and health standards. It may or may not also include other requirements such as a medical examination, TB screening, child abuse clearance, criminal records check and/or finger printing. On receipt of this information by the regulating agency, the FDCH is considered to be registered and has permission to operate. Inspection visits are usually done by random sample or are only made when a complaint is lodged.

Type 2: In some states, registration is a simple sign-up procedure where operating FDCHs are listed with the regulatory agency. These homes are only required to sign a health and safety checklist agreeing to meet minimum standards of health and safety.

SELF-CERTIFICATION: Self-certification is a process where a potential provider gets a form from the proper licensing agency, fills it out as it pertains to the potential FDCH, usually needs to get the form notarized, and then returns the form to the licensing agency. It may or may not include other requirements such as a medical examination, child abuse clearance, criminal records check, TB screening or finger printing.

STATE REGULATORY OFFICE: Family day care homes are regulated in each state through one, and sometimes two, state departments. Some examples are: Departments of Welfare; Social Services; Health and Welfare; Human Resources; and Family Services.

STATE SPONSOR: In the administration of the Child and Adult Care Food Program, this is the state agency which administers this program for the U.S. Department of Agriculture in a particular state.

SYSTEM: Any sponsoring organization who approves family day care homes as members of its system. Systems refer children to available homes in that system, provide administrative functions (technical assistance, evaluation, supervision, inspection, etc.) to homes in that system, and make referrals of children to available health and social services. A system may also be known as a **NETWORK**.

TRAINING: Instruction received by family day care providers on topics such as child development, child abuse identification, program planning, first aid, CPR, health, safety, and business practices. Some states require training prior to licensure and registration, some require on-going training, and others require both. The number of training hours and whether the training is required annually differ among the states.

VOLUNTARY REGISTRATION/CERTIFICATION: Many states have created this category of regulation to meet the requirements of the Child Care and Development Block Grant (CCDBG). Generally this means a provider states in writing that he/she agrees to meet minimum standards of health and safety. It may or may not also include other requirements, such as: a medical exam, child abuse clearance, TB screening, etc.

ZONING: A form of land use restriction which has as its purpose the protection of private property values or neighborhood characteristics. This has increasingly become a barrier to provision of family day care when local jurisdictions do not allow this care as a permitted use of residence.

REGULATORY REQUIREMENTS FOR SMALL FAMILY DAY CARE HOMES

State	Type of Regulation	Number of Children Allowed in Home	Number of Children Exempt from Regulation
Alabama	Licensing	1 - 6	None
Alaska	Licensing	5 - 6	1 - 4
Arizona	Certification	1 - 4	None
Arkansas	Voluntary Registration	1 - 5	1 - 5
California	Licensing	1 - 6	None
Colorado	Licensing	1 - 6 (+2 B/A School)	1*
Connecticut	Registration	1 - 6 (+3 B/A School)	None
Delaware	Self-Certification	1 - 6** 1 - 9**	None
District of Columbia	Licensing	1 - 5	None
Florida	Licensing (getting public (funds) or Registration	1 - 5 (+5 B/A School)	None
Georgia	Registration	3 - 6	1 - 2
Hawaii	Registration	1 - 6	None
Idaho	Voluntary Licensing	1 - 6	1 - 6
Illinois	Licensing	4 - 8	1 - 3
Indiana	Licensing	6	1 - 5
Iowa	Voluntary Registration	1 - 6	1 - 6
Kansas	Registration	1 - 6	None

State	Type of Regulation	Number of Children Allowed in Home	Number of Children Exempt from Regulation
Kentucky	Voluntary Certification	1 - 3	1 - 3
	Manditory Certification	4 - 6	None
Louisiana	Registration (to receive state/ federal funds)	1 - 6	None
	Voluntary Registration	1 - 6	1 - 6
Maine	Licensing or Registration (Provider's choice)	3 - 12	1 - 2
Maryland	Registration	1 - 8	None
Massachusetts	Licensing	1 - 6	None
Michigan	Registration	1 - 6	None
Minnesota	Licensing	1 - 10	None
Mississippi	Voluntary Registration	1 - 5	1 - 5
Missouri	Licensing	1 - 10	None
Montana	Registration	1 - 6	None
Nebraska	Self-Certification	1 - 8 (+2 B/A School)	None
Nevada	Licensing	5 - 6	1 - 4
New Hampshire	Licensing	1 - 6 (+3 B/A School)	None
New Jersey	Voluntary Registration	1 - 5 (+3 B/A School)	1 - 5
New Mexico	Licensing	5 - 6	1 - 4
New York	Registration	3 - 6	1 - 2
North Carolina	Registration	3 - 5 (+3 B/A School)	1 - 2

State	Type of Regulation	Number of Children Allowed in Home	Number of Children Exempt from Regulation
North Dakota	Licensing	6 - 7 (+2 B/A School)	1 - 5
Ohio	Certification (if getting public funds)	1 - 6	None
Oklahoma	Licensing	1 - 7	None
Oregon	Voluntary Registration	1 - 6 (+4 B/A School)	1 - 6
Pennsylvania	Registration	4 - 6	1 - 3
Rhode Island	Certification	1 - 6	None
South Carolina	Licensing (if getting state/ federal money) Registration (Provider's Choice)	1 - 6	None
South Dakota	Registration (if getting public funds)	1 - 12	None
Tennessee	Licensing (Registration in Demonstration Project)	1 - 7	None
Texas	Registration	1 - 6 (+6 B/A School)	None
Utah	Licensing	4 - 6	1 - 3
Vermont	Registration	1 - 6 (+4 B/A School)	***
Virginia	Voluntary Registration (Some local entities have manditory registration or certification)	1 - 8	1 - 8

State	Type of Regulation	Number of Children Allowed in Home	Number of Children Exempt from Regulation
Washington	Licensing	1 - 10	None
West Virginia	Registration (if getting public funds)	1 - 6	None
	Registration (not receiveing public funds)	4 - 6	1 - 3
Wisconsin	Certification (if receiving public funds)	1 - 3	None
	Licensing (not receiving public funds)	4 or more	1 - 3
Wyoming	Licensing	1 - 6	None

* Colorado: 1 child from 1 family
** Delaware: Level I - 1:6; Level II - 1:9
*** Vermont: Children from 1 family

REGULATORY REQUIREMENTS FOR GROUP (LARGE) FAMILY DAY CARE HOMES

State	Type of Regulation	Number of Children Allowed in the Home
Alabama	Licensing	7-12
Alaska	Licensing	9-12
Arizona	Licensing and Certification	5-15
Arkansas	Licensing	6-16
California	Licensing	7-12
Colorado	Licensing	7-12
Connecticut	Registration	7-12
Delaware	Self-Certification	7-11
District/Columbia	No Homes	
Georgia	Licensing	7-18
Florida	No Homes	
Hawaii	Registration	7-12
Idaho	Certification	7-12
Illinois	Licensing	7-16
Indiana	Licensing	6-12
Iowa	Registration	7-11
Kansas	Licensing	10-12
Kentucky	Licensing	7-12
Louisiana	Licensed as Center	7 or more
Maine	Licensing	8-12
Maryland	No Homes	
Massachusetts	No Homes	
Michigan	Licensing	7-12
Minnesota	Licensing	10-14
Mississippi	Licensing	6-15

State	Type of Regulation	Number of Children Allowed in the Home
Missouri	Licensing	11-20
Montana	Registration	7-12
Nebraska	Self-Certification	9-12
Nevada	Licensing	7-12
New Hampshire	Licensing	7-12
New Jersey	No Homes	
New Mexico	Licensing	7-12
New York	Licensing	7-12
North Carolina	Licensing	6-15
North Dakota	Licensing	8-18
Ohio	Licensing	7-12
Oklahoma	No Homes	
Oregon	Certification	7-12
Pennsylvania	Licensing	7-12
Rhode Island	Licensing	7-12
South Carolina	Licensing and Registration	7-12
South Dakota	Licensing	13-20
Tennessee	Licensing	8-12
Texas	Licensing	7-12
Utah	Licensing	7-12
Vermont	Licensing	7-12
Virginia	Licensing	9-12
Washington	Licensing	7-12
West Virginia	No Homes	
Wisconsin	No Homes	
Wyoming	Licensing	7-11

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Questions and Answers Summary

Q - HOW MANY REGULATED FAMILY DAY CARE PROVIDERS ARE IN THE U.S.?

A - The results of our study indicate that there are a total of 287,949 regulated family day care homes in the 50 states and the District of Columbia. Of the total, 23,484 are group (large) homes; 264,465 are small homes.

Q - HOW MANY AND WHAT STATES LICENSE, REGISTER, OR CERTIFY FAMILY DAY CARE HOMES (VOLUNTARY OR MANDATORY)?

A - Some states have chosen one form of regulation exclusively while others have used a combination of two or more methods.

Eighteen states, 35%, use licensing exclusively: **AL, AK, CA, CO, DC, IL, IN, MA, MN, MO, ND, NH, NM, NV, OK, UT, WA & WY.**

Thirteen states, 25%, use a combination of registration and licensing: **GA, FL, KS, ME, MI, NC, NY, PA, SC, SD, TN, TX & VT.**

Five states, 10%, use registration exclusively: **CT, HI, MD, MT & WV.**

Three states, 6%, use a combination of certification and licensing: **OH, RI & WI.**

Two states, 4%, use a combination of licensing and voluntary registration: **AR & MS.**

Two states, 4%, use self-certification only: **DE & NE.**

Two states, 4%, uses voluntary registration and manditory registration: **IA & LA.**

One state, 2%, uses a combination of voluntary registration and certification: **OR.**

One state, 2%, uses a combination of voluntary licensing and mandatory certification: **ID.**

One state, 2%, use voluntary registration only: **NJ.**

One state, 2%, uses certification: **AZ.**

One state, 2%, uses a combination of voluntary registration, mandatory registration, and mandatory licensing: **VA.**

One state, 2%, uses a combination of certification, licensing, and voluntary certification: **KY.**

Q - HOW MANY AND WHAT STATES REQUIRE PROVIDERS TO FURNISH THEIR SOCIAL SECURITY NUMBER TO THE REGULATORY AGENCY?

A - Thirty states, 59%, require the provider's social security number: **AL, AR, AZ, CO, CT, DC, DE, FL, GA, HI, ID, IL, KY, MD, ME, MI, MO, MS, MT, NE, NV, OK, SC, TN, TX, UT, VA, VT, WA & WY.**

Six states, 12%, request but do not require the provider's social security number: **MA, NC, NY, OR, PA & SD.**

One state, 2%, only requires social security number if the provider receives federal funds: **LA.**

Thirteen states, 25%, do not request nor require the provider's social security number: **AK, CA, IA, IN, KS, MN, ND, NH, NJ, NM, OH, RI & WI.**

No information provided: **WV.**

Q - HOW MANY AND WHAT STATES HAVE A PROVIDER/INFANT RATIO OF 1:2; 1:3 OR 1:4?

A - Nineteen states, 37%, have a 1:2 provider/infant ratio: **CT, DC, KY(GDCH), MD, MT, NH, NM, NY, OK, OR, PA, WA, WV & WY; HI, MI, NE & RI** (infant is 18 months and younger).

NV has a 1:2 ratio for infants under 12 months; 1:4 under 24 months.

Nine states, 18%, have a 1:3 ratio: **IL, MA, NJ, OH, UT & VT; KS** (infant is 18 months and younger); **MN** (infant is 12 months and younger); **AK** (infant is up to 30 months).

Two states, 4%, have a 1:3/4 ratio: **ME & WI.**

Eleven states, 22%, have a 1:4 ratio: **CA, CO, DE, IA, KY(FDCH), MO, ND, SD & TN; TX** (infant is 18 months or younger; **FL** (infant is 12 months or younger).

Q - HOW MANY AND WHAT STATES HAVE A GREATER PROVIDER/INFANT RATIO?

A - Ten states, 20%, have poor provider/infant ratios: **AZ & VA,** 1:4/5; **AR, IN & MS,** 1:5; **AL, GA(*) & LA,** 1:6; **SC,** 1:7; and **ID,** 1:12. [*changing to 1:3 in 1995]

Q - HOW MANY AND WHAT STATES HAVE NO TRAINING REQUIREMENT FOR PROVIDERS?

A - Ten states, 20%, have no training requirement for providers: **CA, DC, IL(FDCH), LA(*), MN(FDCH), MS, MT, NE(FDCH), OR(FDCH), & VA(FDCH).** [*for those in CACFP]

Q - HOW MANY AND WHAT STATES REQUIRE ORIENTATION SESSIONS?

A - Sixteen states, 31%, require orientation sessions: **AZ, CA(**), DE, HI, LA(*), MA, MD, ME(LIC), MI(FDCH), MT(**), NY, SD, TN, TX, VT, & WA.** [**require only an orientation session and no other training; *for those in CACFP]

Q - HOW MANY AND WHAT STATES REQUIRE FIRST AID AND/OR CPR?

A - Twenty-six states, 51%, require first aid and/or CPR: **AK, AZ, CO, CT, DC(*), DE, GA, IN(*), KY, MA, MD, ME, MI, MN, NC, ND, NE(FDCH*), NH(*), OK, SC(*), TX, UT, VA, VT, WA & WY.** [*require first aid and/or CPR and no other training]

MT does not require, but strongly recommends.

Q - WHAT STATES REQUIRE OTHER TRAINING? HOW MUCH? HOW OFTEN?

State	FDCH or GDCH	Number of Hours Per Number of Years
AL	FDCH	4 hours every 2 years
AK	Both	5 hours per year
AR	Both	10 hours per year
AZ	FDCH	6 hours per year
	GDCH	9 hours per year
CO	FDCH	12 hours initial; then 12 hours per 2 years
	GDCH(+)	Combination education and experience
CT	FDCH(+)	Child care course
	GDCH(+)	Documentation of annual continuing education
DE	Both	15 hours first year; 12 hours per year after
FL	FDCH	3 hours initial
GA	Both	10 hours per year (*)
HI	Both(+)	Training amount varies
IA	Both	2 hours per 5 years
ID	Both	4 hours per year
IL	GDCH(+)	Requirements vary

State	FDCH or GDCH	Number of Hours Per Number of Years
KS	Both(+)	Requirements vary
KY	Both	6 hours per year
MA	FDCH	10 hours per year (**) 15 hours per year (***)
MD	FDCH	12 hours every 2 years
ME	Both	6 hours per year
MI	GDCH	20 hours within first 2 years
MN	FDCH	15 hours by end of first year
	GDCH	Combination education and experience
MO	Both	12 hours per year
MS	Both	6 hours per year
NC	GDCH	Combination education and experience
ND	Both(+)	Amount varies
NE	GDCH	Combination education and experience
NJ	FDCH	6 hours per year pre-service; 2 years per year after
NM	FDCH	6 hours per year
	GDCH	12 hours per year
NV	Both	3 hours per year
NY	Both	15 hours first year; 15 every 2 years after
OH	Both	Combination education and experience
OK	FDCH	10 hours per year
OR	FDCH	2 hours in first year
	GDCH	15 hours per year

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State	FDCH or GDCH	Number of Hours Per Number of Years
PA	FDCH	12 hours every 2 years
	GDCH	6 hours per year
RI	FDCH	10 hours every 2 years
	GDCH	8 hours per year
SD	FDCH	6 hours every 2 years
	GDCH	10 hours per year
TN	FDCH	4 hours per year
	GDCH	8 hours per year
TX	Both	20 hours per year
UT	Both	2 hour pre-licensing; 12 hours per year
VA	GDCH	6 hours per year
VT	FDCH	6 hours per year
	GDCH	6-9 hours per year
WA	FDCH	5 hours initial plus HIV/AIDS
	GDCH	Combination education and experience
WI	FDCH(+)	Requirements vary
WV	FDCH	Health/Safety twice per year
WY	Both	8 hours per year

* as of 3-1-95
** as of 1-95
*** as of 1-96

+ see specific state for explanation

Q - HOW MANY AND WHAT STATES REQUIRE UNANNOUNCED INSPECTION VISITS IN RESPONSE TO A COMPLAINT?

A - Thirty-four states, 67%, require unannounced inspection visits after a complaint has been made: **AL, AK, AZ(GDCH), CA, CO, CT, DC, DE, GA, HI, IL, KY, LA, MA, MD, ME, MO, NC, ND, NH, NJ, NM, NV, NY, OK, RI, SC, SD, TX, UT, VT, WA, WI & WY.**

Twelve states, 23%, require either unannounced and announced inspection visits after a complaint has been made: **AR, AZ(FDCH), IA, ID, KS, MI, MN, MT, OH, OR, PA & TN.**

No information is available: **FL, IN, MS, ND, VA & WV.**

Q - HOW MANY AND WHAT STATES REQUIRE UNANNOUNCED INSPECTION VISITS AT OTHER TIMES? HOW OFTEN?

A - Eight states, 16%, require unannounced inspection visits annually: **CT(*), DE(*), ME, OH, TN, TX(GDCH), VA & WY.**

Two states, 4%, require unannounced inspection visits every two years: **CO & NE.**

Two states, 4%, require unannounced inspection visits semi-annually: **AZ(GDCH) & NV.**

Three states, 10%, have other types of only unannouced inspection procedures, as follows: **CA & NH: every 3 years; DC, HI & ID: randomly.**

Eight states, 16%, require either unannounced and announced inspection visits annually: **AL, AK, IN, LA, MI(GDCH), MN, NH & SD(GDCH).**

Two states, 4%, require either unannouced and announced inspection visits every two years: **IL & MD.**

Five states, 10%, require either unannounced and announced inspection visits semi-annually: **AZ(FDCH), FL, MO, MS & PA.**

One state, 2%, requires unannounced and announced inspection visits three-four times per year: **AR.**

* see individual states for further details

Q - HOW MANY AND WHAT STATES REQUIRE PHYSICAL EXAMINATIONS FOR PROVIDERS? FOR OTHER ADULT MEMBERS IN THE HOUSEHOLD?

A - Thirty states, 59%, require physical examinations: **AL, AR, AZ(FDCH), CO, CT, DC, DE, HI, IA, IL, IN, KS, KY(FDCH), MA, MD, MN, MO, NC, NE, NH, NJ, NY, PA, RI, SD, TN, UT, WI, WV, & WY.**

Fifteen states, 29%, also require other adult members in the house to have physical examinations: **AL, AR, AZ(FDCH), CO, CT, DC, DE, HI, IA, IL, IN, MD, MN, MO & WY.**

Q - HOW MANY AND WHAT STATES REQUIRE A TB SCREENING FOR POTENTIAL PROVIDERS? HOW MANY REQUIRE THE SAME FOR OTHER ADULT MEMBERS LIVING IN THE HOUSE?

A - Thirty-seven states, 72%, require a TB screening: **AK, AZ, CA, CT, DC, DE, FL, HI, IL, IN(GDCH), KS, KY, MA, MD, ME, MI, MO, MT, NC, ND, NJ, NM, NV, NY, OH, OK, PA, RI, SD, TN, TX, UT, VA, WA, WI, WV & WY.**

Nineteen states, 37%, also require other adult members in the household to be screened for TB: **AK, AZ, CT, DE, HI, IL, IN, KS, KY(GDCH), MD, MI, MO, MT, OK, SD, TX, VA, WA & WY.**

Thirteen states, 25%, have no requirements regarding TB screenings for providers or other adult household members: **AL, AR, GA, IA, ID, LA, MN, MS, NE, NH, OR, SC & VT.**

Q - HOW MANY AND WHAT STATES REQUIRE OTHER IMMUNIZATIONS (SUCH AS MMR OR HIB) FOR PROVIDERS? FOR OTHER ADULT HOUSEHOLD MEMBERS?

A - Seven states, 14%, require other immunizations for providers: **AZ(GDCH), MA, ME, MS, MT, OH & VT.** Only three of these states, 6%, require other immunizations for other adult members in the household: **MS, MT & VT.**

Q - WHAT ARE THE SMOKING POLICIES FOR FAMILY DAY CARE HOMES IN THE 50 STATES AND DISTRICT OF COLUMBIA?

A - Ten states, 20%, allow smoking with varying restrictions: **AL, CT, LA, MD, NE, KY(GDCH), OH(GDCH), PA, SD(GDCH) & VT(FDCH).**

Seventeen states, 33%, allow smoking with no restrictions: **CO, DC, FL, IA, ID, IN, MT, NC(FDCH), NJ, NV(FDCH), OH(FDCH), OR, RI, SC, TN, WV & WY.**

Thirty-one states, 61%, do not allow smoking at all: **AK, AR, AZ, CA, DE, GA, HI, IL, KY(FDCH), KS, LA, MA, ME, MI, MN, MO, MS, NC(GDCH), ND, NM, NV(GDCH), NH, NY, OK, SD(FDCH), TX, UT, VA, VT(GDCH), WA, and WI.**

STATE-BY-STATE LISTING
IN
ALPHABETICAL ORDER

ALABAMA

Information
Supplied By: Liz Taylor
Department of Human Resources
Office of Day Care & Child Development
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Montgomery, AL 36130
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Number of Homes

-**3,450** family day care homes.
-Information on the ratio of the number of homes to licensor is not available; each of the 67 counties licenses the homes and Groups Homes in its county.

Provider Regulations

-Requires licensing; no fee; renewal every two years.
-Social security number of provider is required.
-Provisional licenses are not issued under any circumstances.
-Staff/child ratio is 1:6; family members not included.
-Liability insurance not required.
-Substitute caregiver system required before licensing; substitute caregiver not required to be licensed.
-No space requirement.
-Group Day Care Homes:
 -Provisions have been established.
 -Staff/child ratio is 2:12 ratio.

Unannounced Inspection Procedure

-Homes inspected before license is granted; subsequent on-site visits annually; no advance notice required for on-site visit.
-When an allegation is filed, county DHR worker visits, unannounced, to investigate the allegation.

Complaint Procedure

-To file complaint, contact county DHR responsible for licensing.
-Depending upon severity, consequences could lead to a probationary permit, suspension, or revocation of the license.

Provider Qualifications

-Provider must be at least 19 years old.
-Provider and all family members involved with the child are required to have an initial physical exam and a follow-up every four years.
-Three written references required before licensing.
-No criminal record checks are done unless provider or anyone in the household admits to being convicted of a criminal offense.
-No requirement for providers to have current immunizations, especially MMR, HIB or TB; no requirement for other adults in the household.

Provider Training and Orientation

-Licensing includes a training requirement - 4 hours every 2 years; documentation required.

-Orientation for prospective providers not required but is conducted in some counties.

Discipline Policy

-Corporal punishment prohibited.

Emergency Medical Consent Policy

-Providers required to have parents sign emergency medical form, but it is not required that this form be notarized.

Immunization Policy for Children

-Children in family day care homes are required to have age appropriate immunizations.

-Provider's responsibility to see that child's immunization record is current and accurate.

National Life Safety Fire Code Policy

-Not adopted.

Nutrition Policy

-AL Department of Education is state sponsor for USDA CACFP.

-FDC and Group Homes must provide nutritious meals and snacks each day.

Smoking Policy

-Smoking is allowed with restrictions.

-In FDC smoking may not take place in the presence of children, in area of food storage, and preparation or service.

-In Group Homes, smoking is prohibited in the presence of children.

Before and After School Programs

-Licensing law prohibits any time overlap period when before and after school children are integrated into homes caring for preschool children. Child/staff ratios must be maintained at all times.

Infant Care Programs

-No special regulations.

Programs for Children with Disabilities

-No special regulations.

Sick Child Care Programs

-No special regulations.

Zoning Regulations

-Day care homes must comply with local ordinances.

Available Resources
-Child Nutrition Program, County Day Care Coordinating Councils, orientation/training provided by some counties, information on local, state and national organizations.

Local Contact
-County Department of Human Resources.

Pending/New Legislation
-None.

ALASKA

Information
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Division of Family & Youth Services
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Number of Homes

-**515** licensed family day care homes.
-**300** family day care homes on military installations.
-An estimate of the ratio of the number of homes to licensor is 125:1; optimum would be 100:1.

Provider Regulations

-Licensing required for 5 or more unrelated children; no fee.
-Licenses renewed biennially through reapplication/annual monitoring.
-Social security number of provider not required.
-Provisional licenses are issued during the initial year of licensing and when a facility is temporarily unable to meet a requirement.
-Family Child Care Home (FCCH) provider may care for maximum of 8 children; maximum of 3 may be under 30 months of age, regardless of ages of other children cared for.
-Liability insurance not required.
-Substitute providers may be arranged; substitutes must meet same requirements as primary providers unless substitutes are providing care in the case of an emergency. There must be emergency care arrangements.
-**Family Child Care Group Home (GCCH):**
  -2 caregivers may care for 9-12 children; only 5 under 30 months; only 4 non-ambulatory; includes children related to the provider.

Unannounced Inspection Procedure

-Inspections of day care homes occur before licensure; subsequent visits made annually -- announced and unannounced visits occur.

Complaint Procedure

-To file a complaint, report to the AK Division of Family and Youth Services.
-When an allegation has been filed, DFYS investigates and may inspect facility (announced or unannounced), review records; interview staff, children, parents; and seek a search warrant.
-Consequences depend upon the seriousness of the violation and can include anything from a plan of correction to revocation of license.

Provider Qualifications

- FCCH and GCCH provider must be 18 years old; GCCH administrator: 21 years; FCCH administrator: 18 years.
- Physical exams required of prospective providers only if deemed necessary; annual TB screening required for provider and other adult members in the home.
- No other proof of immunizations are required for provider or other adult household members.
- Three positive written references required.
- Potential providers and other adults in home must sign statement verifying that they have no criminal record.
- Access to arrest data is planned.
- Fingerprinting is required for GCCH administrator.
- Criminal history background check, state and federal, required for group home administrators.

Provider Training and Orientation

- 5 hours training per year required.
- FCCH and GCCH providers must have first aid and CPR training prior to licensure.
- Orientation is provided for potential providers who reside in large communities - licensing regulations and process included.
- Training is offered by some profit and nonprofit groups in the more populated sections of AK; it is difficult to have uniform training regulations because of population dispersement.
- Special training offered for providers who include children or infants with disabilities in their care.

Discipline Policy

- Corporal punishment is limited; requires written parental consent and a report to the parent of each spanking a child receives.

Emergency Medical Consent Policy

- Parents are required to sign emergency information cards, but giving emergency medical consent is optional; they are not required to be notarized.

Immunization Policy for Children

- Homes must keep immunization records for each child in care.
- Annual TB screening required for providers and adult members in house.

National Life Safety Fire Code Policy

- Not adopted.

Nutrition Policy

- Complies with CACFP guidelines.
- USDA CACFP sponsored by AK Department of Education.

Smoking Policy

- Smoking is not allowed whenever children are in care.

Before and After School Programs

-No overlap period allowed when integrating before and after school children in home caring for preschoolers; required child/staff ratios maintained at all times.

Infant Care Programs

-No special regulations.

Programs for Children with Disabilities

-Special training required.

Sick Child Care Programs

-A child care facility may not admit a child who shows symptoms of serious illness or highly communicable disease.

-The provider should notify parent if child becomes too ill to remain in facility so child may be picked up as soon as possible.

-A facility that allows mildly ill child to remain in facility shall provide a place where child may rest or play quietly apart from other children, yet under adult supervision.

-A facility shall inform parent if child is exposed to communicable disease or contagious conditions.

Zoning Regulations

-FCCH and GCCH must comply with local ordinances.

Available Resources

-Orientation, technical assistance.

Local Contact

-Alaska Division of Family and Youth Services, Department of Health and Social Services, (907) 465-3207.

Pending/New Legislation

-None.

ARIZONA

**Arizona has two regulatory agencies for family child care: The Department of Economic Security regulates providers caring for 1 - 4 children at a time for compensation. The Department of Health Services regulates providers caring for 5 - 10 children for compensation. Each agency is listed separately.

**ARIZONA DEPARTMENT OF ECONOMIC SECURITY

Information Supplied By:
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Family Child Care Provider Policy Specialist
Department of Economic Security (DES)
Child Care Administration, Site Code 801A
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Number of Homes

- -**1,395** family child care homes.
- -The average ratio of providers to licensor is 30:1; this would be satisfactory if staff did not spend more than 50% of their time on other tasks.

Provider Regulations

- -FDCH caring for DES-subsidized children must be certified; no fee. DES certification is renewable each year. Exception: Those clients qualifying under FSA, At-Risk and CCDBG requirements may elect to use the services of relative providers who are not certified with DES.
- -Provisional certificates are not available.
- -Social security number of provider is required for tracking and so DES may send out 1099 forms.
- -FDCH provider may be certified by DES to care for a maximum of four children at a time, from birth through age 12 for compensation.
- -FDCH must indemnify, and save harmless the State of Arizona and its departments, agencies, boards and commissions and all officers, agents, and employees from any and all claims, demands, suits, actions, proceedings, loss, cost and damages of every kind and description including any attorney's fee and/or litigation expenses, which may be brought or made against or incurred by the State of Arizona on account of loss of or damage to any property or for injuries to or death of any person, caused by, arising out of, or contributed to, in whole or in part by reasons of any alleged act, omission, professional error, by it, any employee, agent, or any representative or subcontractor, their employees, agents, or representatives in connection with or incident to the performance of the Agreement.

-FDCH shall name the State of Arizona as an additional insured.
-Names of substitute caregivers must be submitted to DES upon certification of family child care providers; these caregivers are back-up providers and must have criminal record check and be fingerprinted.
-Space requirements: No specific square footage requirements for certification of family child care homes; family child care home space must be adequate. The certification worker may decide to reduce the number of children allowed to be cared for in the home because of size of the home, size of the rooms, etc.

Unannounced Inspection Procedure

-Home inspections occur prior to certification; there are a minimum of two yearly visits, announced or unannounced.
-On-site investigations are conducted due to any complaint which seriously affects health and safety of children in care or which presents immediate danger to children. On-site visits may be announced or unannounced, as appropriate to the situation.

Complaint Procedure

-All complaints against family child care homes that have a registration agreement with DES are logged and investigated by DES as warranted. Complaints alleging abuse or neglect of children are referred to and investigated by Child Protective Services.
-Immediate consequences may result in suspension which involves removal of all DES-subsidized children for the length of the investigation and may result in revocation of certification.

Provider Qualifications

-FDC provider must be at least 18 years of age.
-Applicant must furnish proof for self and backup and all household members of freedom from disease for which routine immunizations are available; immunizations including a TB screening must be current.
-Three references required.
-Criminal record check and fingerprint check required of prospective provider and family members and other household residents age 18 or older and back-up providers; fee is presently $24/person, which provider must pay.

Provider Training and Orientation

-Provider required to complete 6 clock hours per year.
-Orientation session is required for DES and DHS perspective providers.
-CPR and First Aid training required.

Discipline Policy

-Corporal punishment prohibited.

Emergency Medical Consent Policy

-Forms required, but do not have to be notarized.

Immunization Policy for Children
-Immunizations and record of them required, or exemption affidavit.
-Provider required to maintain current records.

National Life Safety Fire Code Policy
-Not adopted.

Nutrition Policy
-AZ Department of Education is state sponsor for USDA CACFP.
-Provision of nutritious meals and snacks to children in family day care is required.

Smoking Policy
-Tobacco and smoke-free environment required while children are in care.

Before and After School Programs
-No special regulations.
-No regulations which provide for time overlap for before and after school children; child/staff ratios must always be maintained.

Infant Care Programs
-DES certified family child care provider may care for no more than 2 children under age one at any one time.

Programs for Children with Disabilities
-Providers must comply with ADA requirements.

Sick Child Care Programs
-No special DES regulations.
-DES FDCH certification policy allows care of a child with a contagious illness when plans are based on competent medical advice and other children will not be endangered. A child who becomes ill while in care is to be isolated. The provider must notify the parent or responsible person as soon as possible.
-Provision of medical treatment is the responsibility of the parent/guardian. Emergency medical care plans are to be worked out between the parent and provider.

Zoning Regulations
-FDCH must comply with local ordinances; local jurisdictions responsible for enforcement.

Available Resources
-Arizona Association of Family Day Care, Southern Arizona Family Child Care Association, local child care resource and referral organizations.

Local Contact
-Day Care Group Home Certification-Department of Health Services, Office of Child Day Care Licensure.
-Family Child Care Home Certification-Department of Economic Security, Division of Children and Family Services, Child Care Administration.

**ARIZONA DEPARTMENT OF HEALTH SERVICES REGULATIONS

Information
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Number of Homes
- -**153** group day care homes.
- -Ratio of licensors to providers unavailable.

Provider Regulations
- -DHS certifies group homes in Arizona. These certified group home providers may care for up to ten children from birth through age 12 not related to the provider, at any one time, and there may be a total of 15 children in care at one time, including children related to provider.
- -Social security number of the provider is required.
- -No information regarding provisional certification.
- -Provider who cares for 5-10 children at a time for compensation (residential facility) certified as a Group Home or a provider caring for more than 10 children for compensation (residential facility); more than 4 (non-residential) must be licensed by DHS.
- -One caregiver for each 5 children; no age specific child/staff ratios.
- -Certification good for 3 years; fee $30.
- -Liability insurance required with a minimum limit of $100,000.
- -Space requirements: inside - 30 sq. ft. open space per child; outside - 80 sq. ft. fenced space per child.
- -Fire and gas inspection.
- -Minimum program and equipment standards.
- -Special swimming pool requirements.
- -Play area must be fenced.
- -Complaint investigation.

Unannounced Inspection Procedure
- -Minimum of 3 inspections during the first year; minimum of 2 unannounced per year thereafter.

Complaint Procedure
- -To file a complaint, the department must be contacted in writing, in person or orally.
- -When a complaint is filed, an unannounced monitoring visit is made; information is gathered by interviewing the provider and concerned parties; a detailed report is compiled.
- -The immediate consequences are more frequent monitoring, enforcement meetings, hearings and revocation of certificate.

Provider Qualifications
-High school or equivalent required.
-Minimum age requirement for provider is 21.
-References on all staff required.
-Provider shall retrain and keep current the following information about child care personnel and all household members: proof of negative tuberculin skin test or chest x-ray; name, address and phone number; first aid and CPR certificates; verification of compliance with A.R.S.; date of employment or volunteer assignment; in addition for a written statement by the staff member or volunteer, on Department approved forms, testifying to immunity to measles, rubella, diphtheria, tetanus and polio.
-Individuals who were born before January 1, 1957 shall be considered immune to measles and therefore exempt from the measles immunization.
-All adults in home and staff required to be fingerprinted, registered with department, and background checked.

Provider Training and Orientation
-Current CPR and child care first aid required.
-9 hours annual training required.
-Health and safety orientation required.

Discipline Policy
-Corporal punishment prohibited.

Immunization Policy for Children
-Immunizations and record of them required or exemption affidavit.
-Provider required to keep current records.

National Life Safety Fire Code
-Not adopted.

Nutrition Policy
-AZ Department of Education is state sponsor for USDA CACFP.
-Requires a varied menu of foods from within each food group to be served; minimum meal components and serving sizes as established by the National Research Council (RDA).

Smoking Policy
-Smoking is not allowed while providing child care.

Before and After School Programs
-No separate regulations.
-No provision for overlap time; child/staff ratios must be maintained.
-Supplemental equipment standards for school-age children.

Emergency Medical Consent Policy
-Forms required, but do not have to be notarized.

Infant Care Programs

-No separate regulations.

-Supplemental program and equipment standards for infants and children 2 years of age and younger.

Programs for Children with Disabilities

-No separate regulations.

-Supplemental program and equipment standards for children with disabilities.

Sick Child Care Programs

-Provider shall not accept or allow ill children. A child who becomes ill while in care is to be isolated. Provider must notify parent or the responsible person as soon as possible.

Zoning Regulations

-Must comply with all local ordinances; local jurisdictions responsible for enforcement.

Available Resources

-Arizona Association of Family Day Care, Southern Arizona Family Child Care Association, local child care resource and referral organizations.

Local Contact

-Day Care Group Home Certification - Department of Health Services, Office of Child Day Care Licensure.

-Family Day Care Home Certification - Department of Economic Security, Division of Children and Family Services, Child Care Administration.

Pending/New Legislation

-None.

ARKANSAS

Information
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Number of Homes

- **727** licensed family day care homes.
- **2,335** registered family day care homes.
- **50** (approximate) large family day care homes.
- Ratio of the number of providers to licensor varies according to area of the state; preferred ratio is 60:1 maximum.

Provider Regulations

- Voluntary Registration available for homes exempt from licensure (caring for 5 or less children).
- Social security number of providers is required.
- One year provisional licenses can be issued for new operations and the possibility exists for a time-limited provisional license at renewal to bring home into full compliance.
- One provider may care for up to 10 children in FDCH if all are over age 3; if 2 children are under age 2, maximum of 7 permitted in FDCH.
- Preschool family members included in all ratio numbers.
- Liability insurance not required, highly recommended.
- Substitute caregivers required before licensing; do not have to be licensed.
- Space requirements: 35 sq. ft. indoors; 75 sq. ft. outdoors.
- **Large Family Day Care Homes:**
  - Licensing required if provider cares for 6 or more children from more than one family; fee is $15 annually and goes to Child Care Provider Training Fund; license renewed every two years.
  - Can be licensed for up to 16 children.
  - Provider/child ratios:
    2: 11-14 (with no more than 4 children under 2 years).
    2: 15-16 (with no more than 2 children under 2 years).
  - Health and fire approvals mandatory if licensed for more than 10.

Unannounced Inspection Procedure

- FDCH inspected before licensure; subsequent inspections 3-4 times per year conducted at random, announced and unannounced.

Complaint Procedure

- No information available.

Provider Qualifications

- FDC provider must be 21 years of age or older; although some exceptions are granted after special consideration.

-Annual physical exam required of provider and adult family members living in home.
-No requirements regarding provider immunizations or those of other adult members of the household.
-Three written references required for licensing.
-Criminal record checks and fingerprinting are required.

Provider Training and Orientation
-10 hours of annual training required.
-No formal orientation program for potential providers.
-Self-instructional Child Care Training Modules available from the Division; 20-hour basic orientation class available from Vo-Tech Education.

Discipline Policy
-Corporal punishment prohibited.

Emergency Medical Consent Policy
-Form is required, but it does not have to be notarized.

Immunization Policy for Children
-All children must have age appropriate immunizations prior to attending a family day care home.

National Life Safety Fire Code
-Not adopted through licensing; state enforces for more than 10 children.

Nutrition Policy
-Agreement between DCFS and nutrition monitors to provide DCFS with monitoring reports to help insure provider compliance with regulatory standards on a day-to-day basis.

Smoking Policy
-Smoking should be limited to hours children are not in care; this statement will be strengthened in 1994 revisions.

Before and After School Programs
-No special regulations.
-Providers are allowed 2 school age children above capacity for a short term before and after school.

Infant Care Programs
-No special regulations.

Programs for Children with Disabilities
-No special regulations.
-Staff/child ratios require increased staff to meet child's needs.

Sick Child Care Programs
-Regulated by use of "Alternative Compliance."

Zoning Regulations
-FDCH must comply with local ordinances.

Available Resources
-No information available.

Local Contact
-Division of Children and Family Services.

Pending/New Legislation
-Many revisions in 1994.

CALIFORNIA

Information
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Community Care Licensing Division
Central Operation Branch
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Number of Homes

- **44,720** family day care homes.
- **8,000** (approximate) large day care homes.
- Licensor-provider ratio: 1:358.

Provider Regulations

All Family Day Care Homes (includes both large and small):

- Providers must be licensed; $25 application fee for family day care homes; $50 for LFDC homes, paid on a yearly basis.
- Social security number of provider is not required.
- Provisional licenses are not issued under any circumstance.
- Regulations include section on parental involvement, which states that parents have access to their children at any time.
- Space requirement: None.
- Liability insurance: Following alternatives must be followed:
  1) Aggregate amount of $300,000 with at least $100,000 per occurrence, or
  2) $300,000 bond (annual aggregate), or
  3) Signed affidavit from each parent acknowledging that provider has neither insurance nor a bond.
  4) If the FDCH provider does not own the premises in which care is provided, then the provider must advise the parents that the owner of the property or the homeowner's association may not provide insurance coverage for losses arising in connection with the FDCH.
- Working fire extinguisher & smoke alarm that meet Fire Marshall's standards.

Family Day Care Homes: Maximum capacity - 6.

- Staff/child ratio in FDCH is 1:6, with no more than 3 infants including the licensee's own children under the age of 10, or no more than 4 infants.

Large Family Day Care Homes: Maximum capacity - 12.

- Staff/child ratio is 2:12, assistant must be at least 14 years of age; No more than 4 infants; includes licensees own children under the age of 10.
- Required to have a fire clearance from the State Fire Marshall or local fire jurisdiction.
- Required to have one year experience as a regulated small FDC provider or as an administrator of a licensed day care center.

Unannounced Inspection Procedure
-In FDCH,licensing requires an announced inspection before a license is granted; subsequent unannounced visits every 3 years and on the occasion of a complaint.
-Unannounced visits are made to an additional 10% of FDCH's annually.
-When a complaint is filed, unannounced complaint visit is made within 10 days of receipt.

Complaint Procedure
-May be in writing, by phone or in person.
-Consequences: Citation of deficiency cited with plan of correction developed; failure to correct may result in a civil penalty assessment of $25.

Provider Qualifications
-Provider must be at least 18 years old.
-No physical exam except a TB test is required.
-No information provided about other adult immunization requirements.
-No information about number of references required.
-Criminal record check, fingerprinting and a Child Abuse Index check are required for every person 18 years of age or over who lives, or is regularly present in the provider's home; no fee for the fingerprint check, but there is a $15 fee for the Child Abuse Index check conducted by CA Department of Justice.

Provider Training and Orientation
-No training required, voluntary training programs are available.
-Orientation sessions for FDC and LFDC providers conducted by district and county licensing offices; consists of an overview of licensing procedures, regulations, and community services.

Discipline Policy
-Corporal punishment prohibited; no written guidelines for discipline; methods of discipline discussed at orientation and before licensing occurs.

Emergency Medical Consent Policy
-Form is required, but it does not have to be notarized.

Immunization Policy for Children
-Prior to enrollment, all children must be immunized.

National Life Safety Fire Code Policy
-Not adopted.

Nutrition Policy
-CA Department of Education, Child Nutrition and Food Distribution Division is state sponsor for USDA CACFP.

Smoking Policy
-Smoking is prohibited in licensed child day care facilities when day care children are present.

Before and After School Programs
-No special regulations.
-No policy regarding overlap time for integration of school age children.

Infant Care Programs
-No special regulations.

Programs for Children with Disabilities
-No special regulations.

Sick Child Care Programs
-If child shows signs of illness, the child shall be separated and nature of illness determined.
-If a communicable disease is determined, then the child shall be separated until the infectious stage is over.

Zoning Regulations
-FDCH considered residential use of property for purposes of zoning.
-Law prohibits specific zoning against LFDCH, but are subject to special use permits in some areas. Fees have ranged from $300-1,600.

Available Resources
-During the license orientation, resource and referral staff advise what services they offer to FDCH; further district offices advise local R&R of newly licensed FDCH; state and local family day care associations.

Local Contact
-The state contracts with 13 counties to perform the licensing tasks for family day care. If a county contracts with the State of California, the potential family day care provider would contact the County Welfare Department; otherwise they would have to contact the nearest CA Community Care Licensing District Office.

Pending/New Legislation
-Numerous pieces of proposed legislation dealing with health care training, swimming pool safeguards, infant care safety, and infant/child car safety.

COLORADO

Information
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Licensing Administrator
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Office of Child Care Services
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Denver, CO 80203-1714
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FAX: (303) 866-2704

Number of Homes

- **6,599** family day care homes.
- **20** group day care homes.
- Licensor-provider ratio: as low as 1:250 in some contract counties and as high as 1:450 for state staff in metropolitan area.

Provider Regulations

- Licensed - providers who care for 2 or more children from more than 1 family on a regular basis; fee is $15, used to fund State child care licensing staff positions.
- Social security number is asked for on the application form and is required to be on file for any provider which receives payment from the government for child care.
- Provisional licenses are issued for 6 months to allow time for the provider to obtain pre-licensing training, obtain first aid and CPR training, and build a fence around the outside play yard.
- Staff ratio is 1:6 including family members plus an additional 2 before and after school children; infant/toddler home staff child ratio is 1:4.
- Liability insurance not required; only if state pays for children.
- Substitute caregiver required; need not be licensed.
- Licenses renewed every two years through renewal application.
- Space requirements: inside - 35 sq. ft. per child; outside - 75 sq. ft. per child.
- **Group Day Care Homes:**
  - 7 to 12 children; staff/child ratio is 1:6.
  - Licensing fee is $15.

Unannounced Inspection Procedure

- FDCH inspected before licensing: one unannounced supervisory visit every other year, or whenever there is a complaint.
- Providers with no complaints or violations can self-certify compliance with regulations on the off year.
- When a complaint is filed, an unannounced visit occurs; seriousness of the allegation will determine response time; only licensing violations are investigated.
- Immediate consequences are that violations must be corrected within a set time frame; intermediate consequences are that license can-be changed to probationary and/or fines can be assessed; long term - license can be revoked.

Complaint Procedure

-To file a complaint, call the Office of Child Care Services at (303) 866-5958.

Provider Qualifications

-Provider must be at least 18 years old.

-Initial physical exam followed by biennial exams required of provider and family members in day care home.

-Colorado law has no immunization requirements for adult providers other than what their own personal physicians would require.

-Three written references required.

-Name of provider and persons living in home are screened with the child abuse registry.

-Criminal record check required of provider and family member or employee in the FDCH that is 18 years of age or older.

-If provider (or employee or family member) has lived in the state less than two years, then FBI criminal records check required.

Provider Training and Orientation

-FDCH: 12 hours of training and first aid and infant/child CPR certification required when initially licensed (must be kept current); 12 additional hours required for every two years.

-GDCH: 3 years experience in group care homes or as a licensed day care provider or 2 years college education plus one year experience in group care homes or certification as a Child Development Associate (CDA) or 40 clock hours of training and 2 years experience as a licensed day care provider and 2 years experience on a group day care home.

-Orientation for prospective providers not required but occurs in some counties.

Discipline Policy

-Corporal punishment prohibited; discipline must be constructive or educational.

Emergency Medical Consent Policy

-Forms are required; but they do not have to be notarized.

Immunization Policy for Children

-State regulations require children to be immunized; provider is responsible for maintaining the information.

-Information on the state immunization law is provided by the CO Department of Health and handed out by licensing workers.

National Life Safety Fire Code Policy

-Group Family Day Care Homes must have a local fire inspection.

-Fire Departments in Colorado generally use the National Life Safety Fire Code.

Nutrition Policy

-CO Department of Health sponsors USDA CACFP.

-Two wholesome nutritious snacks and noon meal must be served; special arrangements must be made for children in care before 6 AM and after 6 PM; meals must be balanced and include four food groups; children shall not be given food that is contrary to religious beliefs; pasteurized milk should be served.

Smoking Policy

-Smoking is currently allowed with no restrictions (See Pending/New Regulations).

Before and After School Programs

-No special regulations.

-State allows 2 additional school age children during non-school times in addition to regular capacity of six.

Infant Care Programs

-Providers may care for no more than 2 children under two years of age in a family day care home.

Programs for Children with Disabilities

-No special regulations.

Sick Child Care Programs

-No special regulations; sick child care is not allowed in group care situations.

Zoning Regulations

-FDCH and LFDCH must comply with local ordinances; may include special use permit and/or fee.

Available Resources

-Prospective providers in some counties can attend an orientation that tells them about food programs, resource and referral, and local associations; this information is also in written form in the original licensing packets which providers receive.

Local Contact

-CO Department of Social Services or local contract agency, or regionally located state licensing worker.

Pending/New Legislation

-The proposed child care licensing law indicates that licenses will be either a six month one time provisional license or will then be a permanent license that is in effect until the license is either surrendered or revoked. Licenses must be revoked through an administrative procedure prescribed by law. Hearings are held in front of an Administrative Law Judge of the Department of Administration. The permanent license will not effect the number of visits licensed providers receive. Inspections will still be in effect at least once every two years. Optimum visits would be annually.

-The day care home regulations are currently being revised and will, when promulgated, no longer allow smoking in day care homes in room used by children during day care hours.

CONNECTICUT

Information
Supplied By: Richard Charnick
Department of Social Services
1049 Asylum Avenue
Hartford, CT 06105-2431
PHONE: (203) 566-3800
FAX: (203) 566-3039

Number of Homes

-5,877 family day care homes.
-81 group day care homes.
-Licensor-provider ratio: in the state- 1:300, for optimum supervision- 1:200.

Provider Regulations

-Registration required for FDCH; annual fee is $10, goes to state general fund.
-Registration renewed annually through provider self-declaring compliance with all regulations and reapplication.
-Social security number of provider is required.
-Provisional licenses are not issued under any circumstances.
-Staff/child ratio is 1:6 including provider's children not in school full-time; maximum of 2 infants per provider. May have total of 6 infants, including provider's own, if an approved assistant (must meet Agency qualifications) is present at all times.
-In addition to 6 full-time children, may have up to 3 school age children for up to 3 hours before and after school.
-Liability insurance not required.
-Substitute caregivers must pass screening similar to providers.
-Space requirements: none.

Group Day Care Homes:

-Regulated by Department of Health.
-7-12 children; maximum of four infants to one caregiver; provider ratio - 1:8.
-Space Requirements: 35 square feet inside; 75 square feet outside per child.

Unannounced Inspection Procedure

-Day care homes are inspected before registration; subsequent unannounced monitoring visits to 1/3 of the homes each year.
-When a complaint is filed, there is always an unannounced home visit to discuss complaint and inspect premises. A statement to provider regarding the findings, corrective action plan, proposed revocation or suspension may be warranted.

Complaint Procedure

-To file a complaint, call local DHR office or write; complaints may be anonymous, and the agency will investigate.

-Public will be informed upon inquiry; corrective action plan with deadline; summary suspension; revocation; and $100/day civil penalty. This information will be available to public once new regulations are passed.

Provider Qualifications
-Providers must be at least 20 years old.
-Initial and biennial physical exams and negative TB test required of provider.
-Adult household members must have initial exams and negative TB test. No other immunizations required for adults.
-References required.
-Protective services records checked for provider and adult household members and staff.
-Criminal record check with state police required of provider, adult household members, and staff at no cost to provider.

Provider Training and Orientation
-First aid training (child care course) is required.
-GDCE providers must show evidence of continuing education (minimum of one activity per year).

Discipline Policy
-Corporal punishment prohibited.
-Positive behavior management techniques are taught.

Emergency Medical Consent Policy
-Forms are required, but they do not have to be notarized.

Immunization Policy for Children
-New regulations define children's schedule of immunization; provider is required to verify that both day care children and resident children are current prior to enrollment.
-Children in provider's family must have annual exams and current immunizations.

National Life Safety Code Policy
-Agrees with state fire code.

Nutrition Policy
-CT Department of Education is state sponsor for USDA CACFP.
-Regulations speak to this as a requirement; all FDCH's are informed about nutrition programs.

Smoking Policy
-Providers must not smoke when there is direct physical contact with a child.

Before and After School Programs
-No special regulations.
-Before and after school children should be in the home for no more than three hours each day.

Infant Care Programs
-Ratio and areas of programming and health described.

Programs for Children with Disabilities
-Individual care plans are required (not written) and regulations nicely support ADA by not breaking out children with disabilities.

Sick Child Care Programs
-Allowed in specific circumstances.

Zoning Regulations
-FDCH considered legitimate use of residential property; exempt from codes.
-GDCH must comply with local zoning codes.

Available Resources
-Referral to free R&R service, nutrition sponsors, FDCH associations.
-Professional and training support: Financial aid, CDA 1-800 info, resource centers, Windflower Enterprises/Second Helping, health and safety courses, first aid courses, mentoring, statewide quarterly newsletter, funding to support FDCH conferences, awards to FDCH's, DHR staff as speakers and presenters.
-Resource materials: discipline, activities, business issues, and more.

Local Contact
-District Office of the Connecticut Department of Human Resources.

Other Information
-Vehicles are required to be registered and insured; safety belts required.
-Dogs and cats required to be vaccinated for rabies.

Pending/New Legislation
-None.

DELAWARE

Information
Supplied By: Carla Benson-Green
Office of Child Care Licensing
DE Youth & Family Center
1825 Faulkland Road
Wilmington, DE 19805
PHONE: (302) 633-2700
FAX: (302) 633-2652

Number of Homes

- **2,452** family day care homes.
- **43** group day care homes.
- Licensor-provider ratio: no information available.

Provider Regulations

- FDC providers must complete self-certification process.
- Licensure renewed annually.
- Social security number of provider is required.
- Initial Provisional licenses are issued to all new providers for 6 months; the license is issued pending the results of the criminal background check.
- Provider/child ratio is 1:6 for a Level I provider and 1:9 for a Level II provider, including family members under school age; maximum of 4 children under 2 years of age.
- Liability insurance not required for FDCH.
- FDCH parents must be given copy of family day care brochure and have free access to the areas of the home used for care during day care hours.
- Children can be released only to persons authorized by parent(s) who has placed the child(ren) in care.
- Substitute caregiver required and her/his name, address, and phone number must be on file in provider's home; substitute does not have to be licensed.
- Providers allowed to care for 2 additional children over capacity for up to 6 hours a day for school age care.
- **Group Day Care Homes:**
  - Ratio: 7-12 children permitted with 2 providers.
  - Liability insurance required.

Unannounced Inspection Procedure

- Initial, announced inspection of day care home occurs within 90 days of certification; 20% sample of unannounced annual visits to be reinstituted as caseload size and priorities permit.
- Unannounced visits are made when a complaint is filed; additional follow-up visits may be unannounced or announced depending upon the nature of the complaint.

Complaint Procedure

- To file a complaint, call or write the Office of Child Care Licensing.

-Consequences vary depending upon the nature of the complaint; may be corrective action, probation, suspension or revocation.

Provider Qualifications

-FDCH provider must be at least 18 years old.
-Initial physical exam, including TB screening, required of provider, family members who have direct contact with children, and children under 6 years of age living in the house.
-A review of immunization status is required.
-Subsequent exams required only if provider or other family member has ongoing health problem.
-Child abuse registry check done on potential provider and family members before licensure; she/he required to list any criminal offenses he/she has committed as well as those committed by family members.
-Three written references required.
-Criminal History Records check SBI and FBI required of all members of household 18 years and older.

Provider Training and Orientation

-6 hours of orientation required for prospective FDCH.
-Orientation curriculum includes: licensure process; review of requirements focusing on caregiver responsibilities, staff-child ratios, health and safety, equipment and activities, program, discipline, food and nutrition, child health, infection control procedures, communicable disease, business practices, child development, and provider community support systems.
-The training, based heavily on a Family Day Care Handbook developed by the University of Delaware for the Department, is available to be purchased by the providers for a small fee.
-15 hours of annual training required in initial year of licensure. Training shall include 9 hours of child development, appropriate caregiving and guidance of children's behavior, and 6 hours of infection control, business practices, nutrition, health, and safety. First aid/CPR also required.
-12 hours of annual training required for subsequent year of licensure.
-GDCH providers participate in orientation/training with child care center providers.
-GDCH providers required to participate in at least 15 hours of annual training in areas of child development, curriculum development, caring for children with disabilities, appropriate caregiving and guidance, health, safety and infection control.

Discipline Policy

-Corporal punishment prohibited; positive reinforcement is encouraged as method of child management.

Emergency Medical Consent Policy

-Form required; but it does not have to be notarized.

Immunization Policy for Children

-All children must be immunized; responsibility for seeing they are current is family day care provider.

National Life Safety Fire Code Policy

-An electrical inspection conducted by an approved inspection agency shall be conducted every 5 years.

Nutrition Policy

-DE Department of Public Instruction is state sponsor for USDA CACFP, local sponsors are Child Care Connection, Child Care Initiatives and Catholic Social Services.

-Nutritionally appropriate scheduled meals and snacks shall be served to the children in care for four hours or more per day; all meals must have at least one item from each of the four food groups; all snacks shall include one item from two of the four food groups.

Smoking Policy

-New Family Child Care regulations prohibit smoking in presence of children.

Before and After School Programs

-No special regulations.

-School age care may be provided for 2 additional children no more than 6 hours per day.

Infant Care Programs

-No special regulations.

Programs for Children with Disabilities

-Requirements reviewed to assure no conflict with ADA.

Sick Child Care Programs

-Separate regulations for day care centers and FDCH exist specifically for sick children.

-In FDCH when a communicable disease occurs, the parent of an exposed child will be notified so that she/he may observe the child.

-In FDCH any child with a fever over 101 F sustained for over 48 hours, vomiting, unexplained rash, and/or severe diarrhea will be excluded.

Zoning Regulations

-Family day care homes exempt from zoning regulations in most cases; in few areas, special permit and fee required [See New/ Pending Legislation].

Available Resources

-Resource and referral, family day care provider associations, purchase of care (state subsidized care information), CACFP, and small business development information.

Local Contact

-Either the Wilmington Office of Child Care Licensing [302-663-2700] or the Dover Office of Child Care Licensing [302-739-5487], both in the Department of Services for Children, Youth and Their Families.

Pending/New Legislation

-Proposed legislation to exempt family child care from all zoning and deed restrictions in State Legislature.

DISTRICT OF COLUMBIA

Information
Supplied By: Modestine Lowery, Acting-Program Manager
DCRA Service Facility Regulation Adm.
614 H Street, N.W., Room 1031
Washington, D.C. 20001
PHONE: (202) 727-7226
FAX: (202) 727-7780

Number of Homes

- **229** family day care homes.
- Licensor-provider ratio: 7:229, ratio provides optimum supervision.

Provider Regulations

- Licensing required for FDC providers; fee required.
- Social security number of provider is required.
- Provisional licenses are not issued under any circumstances.
- Provider/child ratio is 1:5, provider/infant ratio is 1:2.
- Maximum of 5 children may be cared for including family members under age 6.
- Liability insurance not required.
- Substitute caregiver system required prior to licensing; substitute must meet same requirements as primary provider.
- Providers must have policy statement which addresses their rules for operating.
- An approved fire drill plan is required.
- Space requirements: A minimum of 35 square feet per child inside FDCH.
- **DC has no Group Day Care Homes.**

Unannounced Inspection Procedure

- Inspections of homes required before licensing; subsequent visits conducted unannounced at any time.
- If a sexual abuse has been reported, SFRA makes an unannounced visit to the facility within 24 hours to ascertain the facility's compliance with the regulations, i.e. ensuring proper supervision.
- Complaints of unlicensed child care activity and those having other serious allegations are investigated within 24 hours.
- Complaint investigations that require on-site visits are performed on unannounced basis.

Complaint Procedures

- To file a complaint, telephone or write DCRA/SFRA/SSFD, Room 1035, 614 H St., NW, Washington, DC 20001.
- Complaints are prioritized according to the nature; allegations of physical or sexual abuse are referred immediately to the Metropolitan Policy Department for investigation. Immediate consequences and penalties for violations in licensed facilities are the issuance of fines for routine infractions or summary suspension of the license which closes a facility immediately.

-For unlicensed activity, a Cease and Desist Order can be issued as well as a fine levied. Long term penalties for violations can include suspension or revocation of the facility's license or denial of its renewal application.

Provider Qualifications

-FDC provider must be between 18 and 70 years of age; over 70 must request a waiver of the regulations.
-Initial physical exam required of provider; annual exams required of provider and adults in home when children are present.
-Physicals must include TB and Syphilis testing, but no other immunization required for adults.
-Three written references required.

Provider Training and Orientation

-Emergency first aid training required.
-Orientation recommended for potential providers.
-Orientation includes information on licensing regulations in DC; offered the first Thursday of each month at 614 H Street, NW, 10th floor at 9:00 AM.

Discipline Policy

-Corporal punishment not addressed in current regulations, but prohibition is proposed in pending revision.

Emergency Medical Consent Policy

-Forms are required, but do not have to be notarized.

Immunization Policy for Children

-Children must be immunized; provider is responsible for maintaining complete records, reflecting current immunizations.

National Life Safety Fire Code Policy

-Contact DC Fire Prevention (202) 673-3250.

Nutrition Policy

-The DC Public Schools is the state sponsoring agency.
-All meals and snacks must been USDA CACFP.

Smoking Policy

-Smoking is allowed, but providers are strongly encouraged not to smoke.

Before and After School Programs

-No separate special regulations.
-No policy with regard to overlap time; child/staff ratios must be maintained at all times.

Infant Care Programs

-No separate special regulations.

Programs for Children with Disabilities

-No separate special regulations.

Sick Child Care Programs
-No separate special regulations.

Zoning Regulations
-No zoning regulations.

Available Resources
-Orientations to licensure requirements; pre-inspections for technical assistance; fire and lead inspections; CACFP; Washington Association for Family Day Care.

Local Contact
-Dept. of Consumer & Regulatory Affairs, Service Facility Regulation Administration, Social Service Facility Division: (202) 727-7226.

Pending/New Legislation
-There are pending revised regulations for all child development facilities including family day care.

FLORIDA

Information
Supplied By: Craig Townsend
Department of Health & Rehabilitative Services
Children, Youth and Families Program Office
2811-A Industrial Plaza Drive
Tallahassee, FL 32301
PHONE: (904) 488-4900
FAX: (904) 488-9584

Number of Homes

- **4,441** licensed family day care homes.
- **2,900** registered family day care homes.
- Licensor-Home Ratio - 1:100 approximately; optimum not determined but should be considerably less.

Provider Regulations

- Licensed FDCH may have up to 5 preschool children with one provider; additional before and after school children allowed as long as total number of children in home does not exceed 10, or 7 school-aged with no preschoolers.
- Licensing is required for those who wish to participate in child food programs and/or subsidized child care.
- Social security number of provider required on application.
- No provisional licenses.
- Licenses are renewed annually and require an on-site inspection for compliance with regulations.
- Liability insurance not required for registered or licensed homes.
- All child care facilities licensed after 10/1/92 must have a minimum of 35 sq. ft. of usable indoor play space per child. Facilities licensed on or prior to 10/1/92 are grandfathered in at the existing 20 sq. ft. per child; 45 sq. ft. outdoor.
- Registered: FDCH not required to be licensed are registered with Dept. of Health and Rehabilitative Services; these homes are not regulated or monitored but must complete a criminal background and screening clearance plus 3 hours training.
- Infant/provider ratio: 1:4 (up to 12 months); 1:6 (up to 24 months).
- Monitoring of compliance through parent education.
- **No distinction between FDCH and LFDCH (all considered FDCH).**

Unannounced Inspection Policy

- All homes are inspected before licensing; FDCH inspections are announced and unannounced semi-annually thereafter.

Complaint Procedure

- To file a complaint, parent, guardian or other party notifies licensing agency; complaint is investigated.
- Necessary corrective action is followed; unannounced visit is usual.

-Consequences: depends on severity; usually corrective action required but an administrative fine is possible.

Provider Qualifications

-FDC provider must be at least 18 years old and of good moral character, and must have a negative TB test.
-Fingerprint check, local, state and Federal criminal record check, and abuse registry clearance required.
-Additional registration requirements must be provided for family day care homes which include the following: proof of substitute care, proof of background checks, proof of training and proof of immunizations.
-No other immunizations required for provider or other adults.
-Applicants shall provide the names, addresses and telephone numbers of at least 3 adults not related to them who can attest to their character and suitability to provide child care.
-Substitutes must meet the same requirements as providers.

Provider Training and Orientation

-Basic 3-hour training required for licensed FDCH providers which includes the identification of child abuse and neglect.

Discipline Policy

-Children received for care in a family day care home should be disciplined only in a constructive manner.
-Children in FDCH shall not be subject to discipline which is severe, humiliating, or frightening.
-Discipline shall not be associated with food, rest or toileting in licensed FDCH.
-Spanking or any other form of physical punishment is prohibited in FDCH.

Emergency Medical Consent Policy

-Emergency medical forms required, but they do not need to be notarized.

Immunization Policy for Children

-Children must be fully immunized; family day care homes are monitored twice a year for compliance with the standards. Corrective action is imposed for failure to comply.

National Life Safety Fire Code Policy

-Is adopted; includes the standards in the LSFC except ratios and square footage.

Nutrition Policy

-FL Department of Education is state sponsor for USDA CACFP.
-The operator shall provide meals and snacks of a quantity and quality to supplement food served at home so that the daily nutritional needs of the children are met according to recognized nutritional standards.

Smoking Policy

-Smoking is allowed; however there is a current proposal to eliminate smoking in homes while children are present.

Before and After School Programs

-One special regulation: 7 school aged children can attend a family day care home with no preschoolers in attendance.

-No provision for overlap time for integration of school age into a family day care home caring for younger children. Staff/child ratios must be maintained at all times.

Infant Care Programs

-Children under 30 months of age shall not be permitted in bathrooms, kitchens, or other hazardous areas without the caregiver or assistant present; direct supervision at all times.

-Infants shall be provided a daily program designed to meet their needs.

-Equipment, materials, and feeding schedules must be appropriate to the developmental needs of the child in care

Programs for Children with Disabilities

-Children with disabilities shall have activities relating to those needs that are planned with parents and/or consultants.

-There shall be suitable space and equipment so that the child can function as safely and independently as possible.

-Children with disabilities shall be considered at the age level at which they function.

Sick Child Care Programs

-If child has a communicable illness, child must be isolated, parents called so they can bring child home.

Zoning Regulations

-FDCH are expected to comply with local ordinances. However, a license will be issued as licensing law does not require such compliance.

Available Resources

-DHRS technical assistance, FDCH coordinators for subsidized programs; local associations (check with area licensing authority for referral).

Local Contact

-For 56 counties, the Dept. of Health and Rehabilitative Services; for 11 counties, the county licensing agency.

Pending/New Legislation

-None.

GEORGIA

Information Supplied By:
Marsha A. Gates
Child Care Licensing Section
Office of Regulatory Services
2 Peachtree Street, NW, 20th Floor
Atlanta, GA 30303-3167
PHONE: (404) 657-5572
FAX: (404) 657-8936

Number of Homes

- **5,384** family day care homes.
- Licensor-provider ratio: no information available.

Provider Regulations

- Registration for FDCH caring for more than 2 children required; registration via the mail, no fee.
- Social security number of provider is required.
- Provisional registration certificates can be issued for a period less than one year if circumstances warrant.
- Provider may care for maximum of 6 unrelated children for compensation.
- Provider/infant ratio is 1:6 [effective 3-1-95, 1:3].
- Liability insurance not required.
- Space requirements: A minimum of 35 square feet per child inside FDCH; there is no space requirement outside the home.
- **Group Day Care Homes:**
  - Licensing required.
  - 7 - 18 children.
  - Must follow GDCH regulations.

Unannounced Inspection Procedure

- No initial inspection of family day care home required; unannounced visits; all complaints investigated.
- Follow-up inspections are conducted as necessary following complaints; no other procedures are in place.

Complaint Procedure

- To file a complaint, call the child care licensing section.
- Consequences are that providers are given notice of violations and an opportunity to correct. Civil penalties (monetary fines) may be assessed if violations are not corrected or children are injured or placed in life-threatening situations.
- Registration can be revoked if children's health and safety are jeopardized.

Provider Qualifications

- Day care provider must be 21 years old.
- No immunization of the providers and adult members of the household required.
- No references required.

-Fingerprinting and criminal record check required of provider; family members must also have criminal record check. Cost is $24 for fingerprints and $3 for criminal records background check for director, employees, and other adults in home.

Provider Training and Orientation
-FDCH: providers must have current CPR and first aid training.
-Providers must have 10 hours training annually in areas of child development, health, child abuse detection, prevention and reporting, and certain business-related topics [as of 3-1-95].

Discipline Policy
-Corporal punishment prohibited.

Emergency Medical Consent Policy
-Form is required; but form does not have to be notarized.

Immunization Policy for Children
-Children are required to be immunized; parents are responsible for obtaining immunizations; provider must keep the children's information current.

National Life Safety Fire Code Policy
-Not adopted.

Nutrition Policy
-GA Department of Education is state sponsor for USDA CACFP.
-Meals and snacks should be nutritious and well-balanced.

Smoking Policy
-Smoking and use of tobacco are prohibited when children are present for care, except in areas totally separated from child care areas.
-Parents must be advised if smoking occurs in other areas of the home.

Before and After School Programs
-No separate regulations.
-Providers are allowed to care for a maximum of 8 children for 2 hours a day if children are 3 years of age and up.

Infant Care Programs
-No separate regulations.

Programs for Children with Disabilities
-No separate regulations.

Sick Child Care Programs
-Same rules and regulations with variances granted for special circumstances.

Zoning Regulations
-Regulations do not require local approval.

Available Resources

-Georgia Association for Child Care Resource & Referral.
-Georgia Department of Education.
-Georgia Association for Family Day Care.

Local Contact

-Office of Regulatory Services, Child Care Licensing Section, Department of Human Resources.

Pending/New Legislation

-None.

HAWAII

Information
Supplied By: Carol Chang
Child Care Program Administrator
Department of Human Services
P.O. Box 339
Honolulu, HI 96809
PHONE: (808) 586-5770 or 586-7050
FAX: (808) 586-5180

Number of Homes

- -**366** family day care homes.
- -**6** large family day care homes.
- -Licensor-provider ratio: 1:12, including many other duties. 1:55 would be optimum ratio if there were no other duties.

Provider Regulations

- -Registration required; no fee. Registration certificates are valid for one year.
- -Social security number of provider is required on mandatory criminal history record clearance.
- -Provisional certificates are issued for up to 6 months if provider is in substantial compliance with minimum standards and no conditions exist which might threaten the safety or health of a child.
- -Provider can have up to 6 children; no more than 2 under 18 months. Excludes provider's children who are:
  - a) 6 years of age or older or;
  - b) in school or enrolled in a child care facility for more than 6 hours/day.
- -Liability insurance not required; providers must inform parents whether it is available or not.
- -Registration certificates renewed annually with recertification forms.
- -Space requirements:
  - a) 35 sq. ft. per child inside
  - b) for outdoor space, a minimum of 150 sq. ft.
  - c) for children 12 months and older, a minimum of 75 sq. ft. per child
- -**Large Family Day Care Homes:**
  - -7 to 12 children with staff ratio of 1:8 for 2 year olds; 1:12 for 3 year olds; 1:16 for 4 year olds; and 1:20 for 5 and older. All children must be over 24 months.
  - -Must comply with all center care regulations.

Unannounced Inspection Procedure

-Homes are inspected before registration; subsequent random visits occur occasionally, or in the case of a complaint. No advance notice of visit is necessary.

-When a complaint has been filed, an unannounced visit is initiated; and after the police or CPS worker conducts his/her investigation, there may be another follow-up.

Complaint Procedure

-A complaint may be filed by calling the licensing office, Child Protective Services or the police.

-Consequences: generally progressive discipline is practiced; i.e., oral, written, sanctions, suspensions, revocation unless children's health and welfare are in immediate danger--then suspension/revocation is indicated.

Provider Qualifications

-Provider must be at least 18 years old.

-Providers and all household members must have physical exam and clearance for TB before registration and every 2 years following.

-No other adult immunizations required.

-Two written references required.

-Criminal record checks and fingerprinting done for applicant, usually provider and spouse and all other employees.

-Child abuse background check is also done.

-Provider's employment history for three years preceding application is checked.

Provider Training and Orientation

-Training is required for renewal of license only; providers must show evidence of efforts to receive training in specific areas such as child development.

-DHS has a separate purchase of services contract with the Institute for Family Enrichment, a non-profit training agency, to provide training to active and potential family child care providers. There is no minimum charge for the training which covers health and safety issues, child development and management, and creating a safe and nurturing environment.

-Orientation for perspective providers for whom the department has been able to obtain the services of People Attentive to Children to provide group orientation on a quarterly basis.

Discipline Policy

-Corporal punishment prohibited.

-Providers cannot use humiliation or any other method which is harmful, frightening or damaging to the child's health or self-esteem.

Emergency Medical Consent Policy

-Forms are required, but they do not have to be notarized.

Immunization Policy for Children

-Children must be immunized; providers must maintain immunization records on each child.

-Records for school age children available at school; copy of immunization need not be maintained in family child care home.

National Life Safety Fire Code Policy
-Must meet local fire codes.

Nutrition Policy
-HI Department of Education is state sponsor for USDA CACFP.
-Providers are required to meet USDA recommendations relative to length of time in care, amount and frequency of meals.

Smoking Policy
-Smoking prohibited by state law in all child care facilities during the hours of operation.

Before and After School Programs
-Child staff ratio is 1:20
-No specific regulations for before and after school care.
-No provision for overlap time; child staff ratio must be maintained at all times, regardless of age.

Infant Care Programs
-Infant-toddler ratio: 6 weeks to 12 months - 1:3 (group size - 6); 6 months to 12 months - 1:4 (group size - 8); 12 months to 24 months - 1:3 (group size - 6).

Programs for Children with Disabilities
-Special training required for providers caring for children with disabilities.

Sick Child Care Programs
-No separate licensing rules for sick child care.
-Family, Group, and School Age care rules require sick children to be separated.

Zoning Regulations
-FDCH must comply with local ordinances.

Available Resources
-Training, recruitment, technical assistance, food program.

Local Contact
-Child Care Program Office, Self Sufficiency and Support Services Division, Department of Human Services, 1001 Bishop Street, Suite 900, Honolulu, HI 96813 [Phone: 808-586-5770].

Pending/New Legislation
-None.

IDAHO

Information
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Deputy Administrator
Department of Health and Welfare; DFACS
450 West State Street, 3rd Fl.
Boise, ID 83720
PHONE: (208) 334-5700
FAX: (208) 334-6699

Number of Homes

- **550** family day care homes.
- **621** group day care homes ++
  ++[Not included are day care group homes in the cities of Coeur D'Alene, Sandpoint, Lewiston, Boise, Pocatello, Chubbuck, Moscow that have their own day care licensing ordinances.]
- Licensor-provider ratio: no information available.

Provider Regulations

- No mandatory licensing requirement for FDCH; providers may choose to voluntarily become licensed, will receive basic day care license.
- Social security number of provider is required.
- Provisional licenses are issued if the pending receipt of FBI criminal background check, and self-declaration are positive.
- FDCH provide care for 6 or fewer children.
- Provider/child ratio: most restrictive required is 1:12, not determined by age.
- If licensed, renewal every two years upon reapplication.
- Licensing fees: Fire: up to $20; Health: $35; Criminal History Check: $45 per individual plus taking prints when necessary.
- No space requirements.
- **Group Day Care Homes:**
  - Have from 7 to 12 children.
  - Provider/child ratio is 1:12.
  - Certification required by law.

Unannounced Inspection Procedure

- If licensed, fire inspection and health inspection are required; (for FDCH and GDCH) upon each renewal, subsequent fire inspections and health inspections are also required.
- Child protection issues are investigated with on-site visit which may be unannounced; licensing issues may require unannounced on-site visit; quality of care is not regulated other than in this manner.

Complaint Procedure

- To file a complaint, concerns may be directed verbally or in writing to the licensing/child protection agency or resource and referral.

-Consequences depend on circumstances; license may be suspended or revoked, also possible criminal action.

Provider Qualifications
-FDC provider must be 18 years old.
-No immunization requirements for provider or other adults in the household.
-No information concerning the number of references required.
-Criminal record checks are done for those providers who have not been continuous residents of the county three years prior to application or employment in the day care home.

Provider Training and Orientation
-4 hours of training required per year.

Discipline Policy
-No provisions for discipline.

Emergency Medical Consent Policy
-No regulations.

Immunization Policy for Children
-Children are required to be immunized, and providers must have records on file.
-Parents are responsible for maintaining immunization schedule and keeping the record current.

National Life Safety Fire Code Policy
-Not adopted on a statewide bases; licensure of homes not required by statute is permissive.

Nutrition Policy
-ID Department of Education is state sponsor for USDA CACFP.
-No current policies regarding nutrition; legislation to be introduced.

Smoking Policy
-Smoking is allowed with no restrictions; children are not protected against second-hand smoke.

Before and After School Programs
-No policy regarding overlap time when integrating when preschool children.

Infant Care Programs
-No special regulations.

Programs for Children with Disabilities
-No special regulations.

Sick Child Care Programs
-No special regulations.

Zoning Regulations
-FDCH must comply with local ordinances.

Available Resources
-Training.

Local Contact
-Coeur D'Alene, Boise, Pocatello, Sandpoint, Lewiston, Chubbuck, Moscow have own licensing ordinances where state is not involved (contact city clerk offices). Otherwise, contact Idaho Dept. of Health and Welfare Regional Offices.

Pending/New Legislation
-Ongoing legislation sessions that will authorize and require new bills.

ILLINOIS

Information
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Licensing Specialist
Department of Children & Family Services
Office of Licensing
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Number of Homes

-**8,180** licensed family day care homes.
-**155** group family day care homes.
-No information available about licensor-provider ratio.

Provider Regulations

-Family Day Care Homes

-License required if caring for more than 3 children; no licensing fee.
-Licenses renewed every 2 years.
-Social security number of provider is required.
-Provisional licenses are not issued; however, permits may be issued for 2 months prior to the meeting of all requirements and conditional licenses may be issued for 6 months prior to revocation of licenses in order to maintain full compliance.
-Provider/child ratio is 1:12 with no more than 3 under age 2; with more than 3 under age 2, assistant required.
-Liability insurance not required.
-Substitute caregiver required before license granted; substitutes do not have to be licensed.
-Space requirements: a minimum of 35 sq. ft. of floor space for each child in care and an additional 20 sq. ft. of floor space for each child under 30 months of age.

-Group Day Care Homes

-GDCH license valid for 2 years.
-Number of children in GDCH shall not exceed the license capacity. The caregiver may accept one additional school-age child as long as the total number of children in the home under age 12 does not exceed 16 children, including caregiver's own children.
-Space requirements: A minimum of 35 sq. ft. of floor space for each child and an additional 20 sq. ft. of floor space for each child under 30 months of age.

Unannounced Inspection Procedure

-Inspections of home prior to licensing and every 2 years thereafter (subsequent visits may be unannounced).

Complaint Procedure

-Complaints result in barring or removing the person from the facility and assuring that another adult is always present when the subject of the investigation is in contact with the child(ren).

-Responses made to all complaints within 2 working days.

-Public may receive requested information on any substantiated parental complaint.

Provider Qualifications

-FDCH provider must be 18 years old; GDCH provider must be at least 21 years of age.

-Initial and biennial physical exams, including a TB test administered by the Mantoux method, required of provider and provider's family.

-No other adult immunizations required.

-Three written or oral references required.

-Child Abuse Registry check required.

Provider Training and Orientation

-No training required for FDCH.

-GDCH provider must have one year (1560 clock hours) of child development experience in a licensed day care home, nursery school, kindergarten, or licensed day care center plus 6 semester or equivalent quarter hours in courses related directly to child care and/or child development from an accredited college or university.

-Caregiver shall complete 6 clock hours of continuing education per calendar year.

Discipline Policy

-Corporal punishment prohibited.

Emergency Medical Consent Policy

-Forms are not required.

Immunization Policy for Children

-Children must be immunized and providers are responsible to maintain current records.

-Parents may request a religious or clinical grounds exemption.

National Life Safety Fire Code Policy

-Not adopted.

Nutrition Policy

-Meals and snacks shall be provided by the facility in a quantity and of such quality as to meet the daily nutritional needs of the child.

-All meals should be suitable for children and prepared by methods designed to conserve nutritive value, flavor, and appearance.

Smoking Policy

-Smoking prohibited in presence of children.

Before and After School Programs
-Family and group day care homes may increase their capacity from 8 to 12 or from 12 to 16 children respectively to accommodate caring for school age children.
-No policy regarding overlap time; child/staff ratio must be maintained.

Infant Care Programs
-Children under 30 months of age shall not be permitted in bathrooms, kitchens, or hazardous areas without the caregiver or assistant present.
-Infants shall be provided a daily program designed to meet their needs.
-Feeding schedules and procedures shall meet the developmental needs of the child(ren).
-Equipment and material must be appropriate to developmental needs of the child(ren) in care.

Programs for Children with Disabilities
-Reviewing to comply with ADA.
-Children with disabilities shall have activities relating to them that are planned with parents and physicians.
-Parents shall be fully informed and in agreement with all procedures undertaken in relation to the child's needs.

Sick Child Care Programs
-Group care prohibited by public health regulations when communicable diseases are present, otherwise at discretion of caregiver.

Zoning Regulations
-FDCH must comply with local ordinances.

Available Resources
-Strong child care resource and referral network; 16 services in the state.

Local Contact
-Regional Offices of the Illinois Department of Children and Family Services.

Pending/New Legislation
-Recommendation to include provider training in FDCH; first-aid and CPR pending to be included in language of the rules.
-Demand to eliminate requirement for fire clearance.

INDIANA

Information
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Day Care Licensing Unit
Division of Family and Children
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Number of Homes

-2,331 large family day care homes.
-Licensor-provider ratio: information not available.

Provider Regulations

-Family day care providers caring for 1-5 children are legally exempt from regulation.
License required for large family day care homes where 6 or more unrelated children are in care; fee is $25 per year.
-Provider social security number not required by state law.
-Registration certificates not offered.
-Provisional licenses can be granted due to non-compliance with a rule because home is not in full operation. Licenses expire after a year are reviewed every three months.
-Licenses renewed every two years with annual inspections.
-Providers re-submit application and criminal history check and an updated home study when inspections are done.
-Maximum of 12 full time children permitted.
-Additional child care provider is required when 10 or more children and/or 4 or more under the age of 2 are present.
-Liability insurance not required.
-No space requirements.

Unannounced Inspection Procedure

-FDCH must be inspected prior to licensing; subsequent visits annually and can be unannounced.

Complaint Procedure

-To file a complaint, contact child welfare/child protection units of local county DFC offices.
-When a complaint is filed, state follows regular child welfare complaint procedures.
-Consequences vary from revocation of license to prosecution, depending on severity of the violation.

Provider Qualifications

-Must be at least 21 years old.
-Providers and other adult members in the house must have initial physical exam (with TB test) and a follow-up every 3 years.
-No other adult immunizations required.

-Three written references required.
-Each provider required to submit a criminal history check.

Provider Training and Orientation
-Must have completed a first aid course within the last 3 years prior to licensure/employment and shall complete another course every 3 years thereafter from the date of the previous course.

Discipline Policy
-Corporal punishment is permitted in FDCH.

Emergency Medical Consent Policy
-Form is required to be signed by a parent or legal guardian.

Immunization Policy for Children
-Children must be immunized; providers must maintain current records.
-Parents may request in writing an exemption based on religious beliefs.

National Life Safety Fire Code Policy
-Not adopted.

Nutrition Policy
-IN Department of Education is state sponsor for USDA CACFP.
-State regulations require meal and 2 snacks for full time care; 1 snack for part time care and full time after 6 PM.

Smoking Policy
-Smoking is allowed without restriction.

Before and After School Programs
-No separate regulations.
-If a home cares for children less than 4 hours a day, they are not required to be licensed.

Infant Care Programs
-Special regulations in addition to basic FDCH regulations.

Programs for Children with Disabilities
-No separate regulations.

Sick Child Care Programs
-If a child becomes ill during the day, the child shall be isolated from others.

Zoning Regulations
-FDCH exempt from local ordinances which would prohibit their operation solely because they are a business or impose restrictions greater than those imposed by state licensing.

Available Resources
-New training being planned funded by new licensing fees.

Local Contact
-The local office of the Division of Family & Children in the county in which they live.

Pending/New Legislation
-None.

IOWA

Information
Supplied By: Barbara Bosch, Program Manager
Child Day Care Services
Department of Human Services
Hoover State Office Bldg., 5th Fl.
Des Moines, IA 50319
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FAX: (515) 281-4597

Number of Homes

- **3,437** family day care homes.
- **1,661** group day care homes.
- Licensor-provider ratio: no information available.

Provider Regulations

- Voluntary Registration for FDCH; no fee.
- Social security number of provider is not required.
- Provisional licenses are not issued under any circumstances.
- Staff ratio is 1:6 including provider's preschool children.
- No more than 4 children under 2 years of age at any time.
- Provider may care for 7-11 children at any one time for less than 2 hours, unless home provides care at any one time for more than 6 children who are not attending school full time; provider's child is included if he/she does not go to school.
- Registration certificates renewed annually through local (county) office of the Department of Human Services.
- **Group Day Care Homes:**
  - Required to be registered.
  - Must have second staff person if 7 or more children are present for 2 or more hours at a time.
  - Allowed to have 7-11 children - never more than 4 under 2 years old; never more than 6 not in school full time.
  - Must meet certain safety requirements and have quiet area for sick child.
  - Registration certificates are renewed annually through reapplication.

Unannounced Inspection Procedure

- No home inspection required before registration; 20% of FDCH are spot checked each year.
- State relies on parents and CACFP staff for notification. Parents are given letter initially explaining their responsibility.
- Complaints are investigated by an unannounced or announced visit,in which the investigator explains care requirements to provider and explores ways to fulfill the requirements.

Complaint Procedures

- To file complaint, contact Department of Human Services.

-Consequences for violation depend upon type and severity; if children are in immediate danger, may seek an injunction through County Attorney.

Provider Qualifications
-Provider must be at least 18 years old.
-Must have physician's signed statement, obtained at first registration and at least every 3 years thereafter, on all members of provider's household, stating that all members of household are free from disease or disabilities that would prevent good child care.
-No requirement for providers to be immunized, up to provider's personal physician.
-No information about number of references required.
-Criminal record check done on provider and family members.
-Child abuse registry check done on provider and family members.

Provider Training and Orientation
-Providers must have 2 hours of training every 5 years in child abuse identification and reporting.

Discipline Policy
-No discipline shall be used that is physically or emotionally harmful to a child.

Emergency Medical Consent Policy
-Emergency medical forms are required, but they do not have to be notarized.

Immunization Policy for Children
-Children must be immunized and current records must be in the family's file with the provider.

National Life Safety Fire Code Policy
-Not adopted.

Nutrition Policy
-IA Department of Education is state sponsor for USDA CACFP.
-Rules only require meals be well-balanced, nourishing and in the appropriate amounts.

Smoking Policy
-Smoking allowed; restrictions not addressed; risk factors to children from second-hand smoke not addressed in legal language.

Before and After School Programs
-No special regulations.
-FDCH may care for 5 school age children for less than 2 hours in addition to the other children in care.

Infant Care Programs
-No special regulations.

Programs for Children with Disabilities
-No special regulations.

Sick Child Care Programs
-The group day care home shall provide a separate quiet area for sick children.

Zoning Regulations
-Zoning requirements not part of registration requirements but enforced separately by each city or county.

Available Resources
-Child care resources and referral organizations, CACFP, and other resources depending on local resources.

Local Contact
-Local office of the IA Dept. of Human Services.

Pending/New Legislation
-None.

KANSAS

Information
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FAX: (913) 296-7025

Number of Homes

- **4,195** registered family day care homes.
- **4,650** licensed family day care homes.
- **511** group day care homes.
- Licensor-provider ratio: varies from county to county.

Provider Regulations

- Registration: providers caring for 6 or fewer children are required to be registered; annual fee is $5.
- Social security number of provider is not required.
- No provisional licenses issued; a 90 day temporary permit is provided for initial applicants of licensed day care homes.
- Providers caring for 7-12 children must be licensed; annual fee is $15.
- Number of caregivers per group of children is 1 or 2 based on age groupings of children.
- Provider/infant ratio: 1:3 (infant defined as up to 18 months).
- Licenses are reviewed annually.
- Parents allowed total access to their children in the FDCH's.
- If second floors or basements are used in licensed day care homes, they must have fire safety approval.
- Space requirements: for licensed homes - 25 sq.ft. of available indoor play space per child for day care homes serving 7 to 12 children; outdoor space requirements not specified.
- **Group Day Care Homes:**
  - GDCH provider may care for 10-12 children; 2 adults may be required.
  - Provider must be licensed; annual fee is $15 and license is reviewed annually.
  - GDCH must have fire safety approval.

Unannounced Inspection Procedure

- GDCH's are inspected before licensing; those providers that are only registering do not have to be inspected.
- Following licensure, subsequent annual visits are made to homes for inspection.
- When a complaint has been filed, usually an unannounced visit is made to the day care home and a complete investigation follows, which may include calling other parents.

Complaint Procedure

-To file a complaint, call or write the local licensing office; anonymous is accepted.

-Consequences are: formal correction order, civil fine up to $500, suspension, or revocation of license; if revoked there is a one year moratorium before the individual can re-apply.

Provider Qualifications

-Provider must be at least 18 years old.

-The provider and anyone 16 years of age or older that lives, works, or volunteers in the day care home is required to have record of a negative TB test or X-ray testing is also required if there has been exposure. HIB recommended, but not required.

-No other adult immunizations required.

-References not required.

-Criminal record check (no fingerprinting) and Child Abuse Registry check done on provider and provider's family members, volunteers, and employees 10 years of age and older. No fee for the check.

Provider Training and Orientation

-**FDCH**: training is required. All homes are required to have first aid training; additional training is required for the licensed FDCH as follows: Providers must submit documentation within 60 days that one of the following requirements has been met:

1) five sessions of observations, not less than 2 1/2 hours per observation,
2) a child development associate credential (CDA),
3) 15 hrs of directed readings, videotapes, etc.
4) employment for not less than three months in a licensed FDCH, GDCH, or child care center which had been in operation for three or more years.

-**GDCH**: Within 60 days following the initial application for license or employment, one of the following must be met:

1) six months of supervised employment in licensed facilities with children the same age as enrolled in GDCH,
2) 10 hours directed reading and 5 sessions of observations, not less than 2 1/2 hours per observation,
3) CDA,
4) minimum three semester hours of academic credit or equivalent training in child development, early childhood education, and curriculum resources, and supervised observation in high school or college or three months experience with children of the same age as enrolled in GDCH, or
5) requirements for program director of child care center as regulated by rules and regulations.

-Prior to relicensure, provider in FDCH or GDCH shall provide documentation of

1) 5 clock hours of in-service training,
2) five hours of directed reading, or
3) current accreditation by the National Association for Family Child Care (NAFCC).

Discipline Policy

-Corporal punishment prohibited.

Emergency Medical Consent Policy
-Forms required; only notarized in accordance with the requirements of the medical facility.

Immunization Policy for Children
-Children in any category of child care must be immunized, as of 1992.

National Life Safety Fire Code Policy
-Is adopted.

Nutrition Policy
-KS Department of Education sponsors USDA CACFP.
-Nutrition requirements in the regulations.

Smoking Policy
-Smoking is prohibited indoors in registered or licensed homes while children are present.

Before and After School Programs
-No special regulations.
-In licensed homes, an overlap time of one hour for 2 children may be requested.

Infant Care Programs
-No special regulations.

Programs for Children with Disabilities
-No special regulations.

Sick Child Care Programs
-Regulated by quarantine requirements of the Department.

Zoning Regulations
-Must comply with local ordinances; not enforced by state regulation.

Available Resources
-Information about CACFP, local and state family day care associations, resource and referral services, educational services.

Local Contact
-County Health Departments and private contractors.

Pending/New Legislation
-New: Registered homes must notify parents of the requirements for registration and parents must sign that they have received this information.
-Pending: A child care policy conference will be held in December 1994 to recommend future planning for child care.

KENTUCKY

**Kentucky has two regulatory agencies for family child care: The Division of Licensing and Regulations regulates providers caring for 7 or more children. The DSS Child Care Services Branch regulates family child care providers caring for 4-6 children through the FDCH Certification Program. Each agency is listed separately.

**DEPARTMENT OF SOCIAL SERVICES

Information
Supplied By: Lydia Roberts, Manager
Child Care Services Branch
Department of Social Services
275 East Main Street, 6th Floor West
Frankfort, KY 40621
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1-800-421-1903

Number of Homes

-512 certified family day care homes.
-No information available regarding ratio of licensors to homes.

Provider Regulations

-Certification is required for family child care home providers caring for 4-6 unrelated children. Voluntary certification for a provider if caring for 3 or fewer children.
-Renewal for certification involves repeating the certification process every two years.
-Fee of $10 is required upon initial application.
-Social security number is required.
-Provisional certificates are not issued under any circumstances.
-If more than 4 infants are in care, provider shall employ an assistant who must be 16 years of age or older.
-There shall never be more than 6 children under the age of 6 years old including the provider's own or related children; maximum number of children in care shall never exceed 10.
-Space requirement: Indoor areas, including furnishings, used for child care shall contain a minimum of 35 sq. ft. per child.
-A substitute provider is required in the absence of the provider; substitute must be at least 18 years old.
-Liability insurance is required for the provider.

Unannounced Inspection Procedure

-FDCH is inspected before certification is approved and upon renewal; unannounced inspections upon receipt of complaint.

Complaint Procedure

-Complaints may be filed verbally or in writing to the DSS.
-DSS is mandated to respond to all complaints.

-Denials, suspensions, revocations or refusals to renew will be made in writing to the provider, stating the reasons for the adverse action and the provider's right of appeal.
-Appeals may be made by the provider within 15 days after receipt of the notice of the intended action.
-Provider will be notified of hearing time and location within 15 days of receipt of the request for hearing. All decisions of the hearing officer are final and provider is notified in writing.
-Providers who continue to care for 4-6 unrelated children after the closing date established by CSS will be subject to legal action by CHR under law.

Provider Qualifications
-FDCP must be at least 18 years old.
-Two character references are required for the provider.
-A criminal records check is required for the provider, assistant, substitute provider and all adults living in the FCCH.
-A TB skin test is required of the provider (administered within 30 days of application) and substitute provider; no other adult immunizations required.
-A written physician's statement is required for the provider.

Provider Training and Orientation
-At least 6 hours of training in basic health, safety and sanitation, recognizing and reporting child abuse and developmentally appropriate child care practices is required for the provider.
-Beginning with the second year of operation, provider must obtain at least 6 hours of training in child development.
-Current certification in infant and child first aid and infant and child CPR is required.

Discipline Policy
-Physical punishment and placement of a child in a locked or confined space are prohibited.
-Disciplinary methods which humiliate, shame or frighten a child are prohibited; as well as harsh or demeaning language in the presence of the children.
-Discipline shall not be delegated to another child or related to food, rest, toileting, or not sleeping during rest time.

Emergency Medical Consent Policy
-Forms are required, but they do not have to be notarized.

Immunization Policy for Children
-Enrolled children are required to be immunized.

National Life Safety Fire Code Policy
-Not adopted.
-Each floor level used for child care shall have at least one unblocked exit and at least one smoke detector and fire extinguisher.
-FDCH shall have at least one telephone in working order with the emergency number of the fire station posted by each telephone.

Nutrition Policy
-KY Department of Education is state sponsor for USDA CACFP.
-Children are to be served meals which include a food from each of the four basic food groups and snacks appropriate in the amount and type of foods served for the ages of children in care.

Smoking Policy
-Smoking is prohibited in the presence of children in care.

Before and After School Programs
-No special requirements.
-No policy concerning overlap time.

Infant Care Programs
-No special requirements.

Programs for Children with Disabilities
-No special requirements.

Sick Child Care Programs
-A quiet, separate area, which can be easily supervised, for children too sick to remain with other children is required.

Zoning Regulations
-No special requirements.

Available Resources
-The Cabinet for Human Resources, Department of Social Services, offers resource and referral information, CACFP information, and subsidized child care programs for qualified applicants.

Local Contact
-Local county Department of Social Service offices.

Pending/New Legislation
-None.

**DIVISION OF LICENSING AND REGULATION

Information Supplied By:
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Number of Homes
-159 licensed family day care homes (**Large**).
-No information available regarding ratio of licensors to homes.

Provider Regulations

-Licensing required for FDCH providing care for 7 or more children; initial fee is $80 for a new Type I; $40 for a new Type II.
-Licenses renewed annually; renewal fee is $40 for Type I & II.
-Relicensure involves submission of an application by the provider and an on-site inspection by the licensing agency.
-Kentucky divides day care facilities into two types - I and II; FDC comes under the Type II description.
-Type II homes may provide care for 7-12 children, including provider's own children; when more than 10 children are cared for, an assistant is required.
-FDCH inspected before licensing; subsequent visits occur during annual renewal and on occasion of complaints.
-Social security number is required.
-Provisional licenses could be issued if staff has not completed necessary training.
-The age of the youngest child in care determines how many children may be in the home and stay within provider/child ratios; with 1 child 2 years old or younger, no more than 6 children may be cared for; if youngest child is between 2 and 3 years old, no more than 10 children may be cared for. The age of the youngest child in the group determines the staff child ratio.
-Liability insurance required prior to licensing.
-Minimum of 2 substitute caregivers required.
-Space requirements: 35 sq. ft. per child inside-exclusive of kitchen, bathroom, and storage areas. If a facility does not have an outdoor play area, the indoor space to be used as a play area must be a minimum of 60 sq. ft. per child using the area at any one time separate and in addition to the 35 sq. ft. minimum as described previously. The area must include gross motor equipment and be well ventilated and heated. The outdoor space shall be adequate enough for the particular number of children who are outdoors at the time.

Unannounced Inspection Procedure

-When a complaint is filed, an unannounced site visit is made. If the allegation includes abuse/neglect, a joint visit is made with the Department of Social Services.

Complaint Procedure

-The Division of Licensing and Regulation is mandated to respond by investigation to any referral alleging non-compliance with licensing regulations; an unannounced site visit is made.
-Consequences: Illegal operators are required to become licensed or face legal action. In licensed facilities, deficiencies are cited; due process for correction is followed; non-correction could result in negative action to pursue revocation of license.

Provider Qualifications

-FDC provider must be 21 years old.
-TB tests required of provider, assistants, and all adults residing in home; no other adult immunizations required.
-Criminal record checks and fingerprinting required.

-Master's degree in ECE/D, no experience required; or
-Bachelor's degree in ECE/D, no experience required; or
-Master's degree or a Bachelor's degree in any field other than ECE/D, plus two years full-time paid experience in working with young children in a group; or
-Master's degree or a Bachelor's degree in any field other than ECE/D, plus twelve hours of child development training; or
-Child Development Associate (CDA), plus twelve hours of child development training; or
-Associate of Arts degree, plus twelve hours of child development training; or
-Competency-based vocational training in ECE, plus twelve hours of child development training; or
-General Equivalency Diploma (GED) or a high school diploma, plus twelve hours of child development training.
-[The twelve hours of child development training must be completed within the first six months of operation while the facility operates on a provisional license. All training shall have prior approval of the Cabinet.]

Provider Training and Orientation
-Regulations require 6 contact hours of early childhood development training annually for directors and staff.

Discipline Policy
-Corporal punishment prohibited.
-Discipline methods must be in writing and adhere to FDC regulations.
-A positive approach to discipline must be used.

Emergency Medical Consent Policy
-Forms are required, but they do not have to be notarized.

Immunization Policy for Children
-Children are required to be immunized; records must be on file within 90 days of enrollment and kept current.

National Life Safety Fire Code Policy
-Not adopted; Federal Fire Safety Code is enforced by the State Fire Marshal's Office.

Nutrition Policy
-KY Department of Education is the state sponsor for USDA CACFP.
-Children are to be served meals which include a food from each of the 4 food groups following the guidelines of USDA.

Smoking Policy
-Smoking is allowed; however, smoking can only take place in designated areas away from the children.

Before and After School Programs
-No special requirement.
-No policy regarding overlap time.

Infant Care Programs
-No special regulations.

Programs for Children with Disabilities
-No special regulations.

Sick Child Care Programs
-Sick child is prohibited from staying in day care while sick.

Zoning Regulations
-FDCH must comply with local ordinances; zoning ordinances must be met as a prerequisite to licensure.

Available Resources
-Cabinet for Human Resources, Department of Social Services, offers resource and referral and subsidized child care programs.

Local Contact
-Regional office of the Cabinet for Human Resources, Division of Licensing and Regulations for licensed homes.

Pending/New Legislation
-None.

LOUISIANA

Information
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Family Day Care Home Program
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Number of Homes

- -**9,494** family day care homes.
- -Licensor-provider ratio: no information available.

Provider Regulations

- -Registration required only if caring for 6 or less children and receiving state and/or federal funds.
- -Social security number required if receiving federal funds.
- -Provisional licenses not applicable.
- -Annual fee - $5.00; for participants in the CACFP, annual fee is $30.00.
- -Provider/child ratio is 1:6.
- -Registration only requires annual approval by State Fire Marshall. (CACFP may have added requirements.)
- -**Group Day Care Homes:**
  - -Licensed as centers; 7 or more children.
  - -Follow center regulations.

Unannounced Inspection Procedure

- -Annual registration renewal visits and other unannounced visits are conducted.

Complaint Procedure

- -To file a complaint against a registered provider, contact Department of Social Services, Department of Education, State Fire Marshal or Department of Child Abuse.
- -Depending upon nature of complaint, an unannounced visit may be appropriate.
- -Consequences include possible loss of registration and all funding.

Provider Qualifications

- -Provider must be at least 18 years old; no other special qualifications for registration.
- -No information about adult immunization requirements.

Provider Training and Orientation

- -For registered providers:
  - -Prospective providers for CACFP funds must participate in orientation, record-keeping, etc. sponsored by agency (approximately 80 non-profit agencies).

-No required orientation or training for other funded FDCH.
-All registered FDCH may attend free training programs, however the program is not mandatory.

Discipline Policy
-Providers in CACFP may not use food as means of discipline.
-Providers must comply with state child abuse and neglect laws.

Emergency Medical Consent Policy
-Not required.

Immunization Policy for Children
-Not required.

National Life Fire Safety Code Policy
-All registered providers inspected by State Fire Marshal.

Nutrition Policy
-LA Department of Education is state sponsor for USDA CACFP.
-If provider participates in CACFP, they must follow guidelines; otherwise there is no nutrition policy.

Smoking Policy
-Smoking is not allowed in facilities caring for 7 or more children.
-No policy regarding registered family day care homes.

Before and After School Programs
-No special regulations.
-No policy regarding overlap time.

Infant Care Programs
-No special regulations.

Programs for Children with Disabilities
-No special regulations.

Sick Child Care Programs
-No special regulations.

Zoning Regulations
-Up to local authorities to enforce as appropriate.

Available Resources
-CACFP offers free training to registered homes on child growth and development, fire safety, health, etc.

Local Contact
-Local offices of FDCH sponsoring agencies.
-Local Department of Social Services offices.

Pending/New Legislation
-None.

MAINE

Information
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Child Care Licensing Unit
Bureau of Child and Family Services
State House Station 11
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Number of Homes

- **810** registered family day care homes.
- **1,339** licensed family day care homes.
- Licensor-provider ratio: 1:215; optimum ratio would depend on physical inspection requirements.

Provider Regulations

- Provider caring for 3-12 unrelated children has the choice to be licensed or registered.
- Licenses renewed annually; $10 fee, offsets fire inspection costs.
- Registered providers pay $20 fee every 2 years.
- Social security number of provider is required.
- The 1st license granted to new applicants is provisional for one year.
- Licensed single provider, including their own child(ren), may care for:
  - a) 4 children under 2, or
  - b) 8 children over 2, plus 2 school age children, or
  - c) 12 all school age children, or
  - d) Mixed ages - no more than 3 under age 2 with a maximum of 6 plus 2 school age.
- Licensed providers with one additional staff, including children of provider and staff, may care for:
  - a) 8 children under 2, or
  - b) 12 children over 2, or
  - c) 12 all school age children, or
  - d) Mixed ages - no more than 3 under age 2 per staff with a maximum of 12.
- Licensed providers with two additional staff, including children of provider and staff, may care for 12 children, no matter the ages.
- Space requirements: 35 sq. ft. per child inside the facility, excluding kitchens, hallways, bathrooms; outside requirement - adequate for safe play.

Unannounced Inspection Procedure

- Homes inspected before licensing; annual unannounced inspections follow initial inspection; also inspected by the fire marshal to verify compliance to rules.

-All complaints are screened by an Investigations Unit; unannounced visits are required.

Complaint Procedure

-To file a complaint, write or call the Licensing Unit or Child Protective Services.

-Consequences depend on the violation; can revoke license as ultimate sanction.

Provider Qualifications

-Provider must be at least 18 years old.

-Providers in licensed homes, born after 1956, must have MMR, HIB, immunization and TB screenings; other household members are not included in this policy.

-Licensed providers required to have 3 written references.

-Criminal record check done.

-Aides and assistants also must be 18 years of age; aides or assistants ages 16-18 not counted as staff; must be under direct supervision of the provider.

-Helpers must be over age 14 in registered homes.

Provider Training and Orientation

-Orientation now required for licensed providers.

-6 hours of training in child care, early childhood education, business of family day care, or child development within the first license year and every year thereafter.

-Provider must supply orientation for aides and assistants.

-Certification in first aid and CPR every 3 years also.

Discipline Policy

-Corporal punishment prohibited.

-Practices detrimental to children are prohibited.

Emergency Medical Consent Policy

-Form required for licensed providers, but does not have to be notarized.

Immunization Policy for Children

-Children must be immunized in licensed homes; but not in registered homes.

-Providers are responsible for maintaining current records.

National Life Safety Fire Code Policy

-The State Fire Marshals who do the inspections use the Code.

Nutrition Policy

-Is state sponsor for USDA CACFP.

-Requirements must comply with CACFP.

Smoking Policy

-Smoking is against state law in any child care facility while children are under care.

Before and After School Programs

-Special regulations only if family day care home services **only** school age children.

-No policy regarding overlap time; providers must be in compliance with the child/staff ratios.

Infant Care Programs

-Special additional rules for licensed providers caring for children six weeks to 36 months of age.

-No child under six weeks of age as verified by birth certificate may be cared for in a licensed facility.

-Extensive requirements relative to feeding, diapering, napping, bedding, developmentally appropriate activities and immunizations.

Programs for Children with Disabilities

-Providers must have experience and training documented to meet the special needs of the children.

-Parents must supply adequate information about the child's special needs.

Sick Child Care Programs

-No special regulations; guidelines exist for when sick children can return to day care; parents must remove obviously ill children from day care.

Zoning Regulations

-Licensed providers, not registered, must comply with local ordinances.

Available Resources

-Many included in provider packet.

Local Contact

-Department of Human Services at the state level.

Pending/New Legislation

-Yes.

MARYLAND

Information
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Child Care Administration
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Number of Homes

- **12,247** family day care homes.
- Licensor-provider ratio: 1:141; goal is to achieve a ratio of 1:100.

Provider Regulations

- Registration required; no fee; renewed every 2 years.
- Social security number of provider, adult residents of the household, and children is required.
- Provisional registrations may be issued after determining that the health and safety of children would not be endangered. Typically, provisional registrations are issued while minor renovations are made to the home to bring it into full compliance with the Life Safety Code or while awaiting the results of a criminal record check at either the state or federal level. The results of the record check at one level must be received in order to issue a provisional registration.
- Provisionals are issued for up to 120 days and may be extended, if necessary.
- FDC providers may have maximum of 8 children with no more than 2 children under age two. If a second adult is present to assist in caring for children, 4 children under two years of age may be enrolled.
- The Child Care Administration may limit the number of children cared for based on several factors including the number and ages of the provider's own children.
- Liability insurance is required if the provider's home is located in an area covered by a Homeowner's or Condominium Association.
- Providers are required to give parents of children enrolled in their homes copies of a consumer education pamphlet on regulated child care called Making the Difference for Your Child.
- **No provision for Group Family Day Care Homes.**

Unannounced Inspection Procedure

- Inspection visits are required prior to registration, and at the time of renewal (every 2 years). Visits are also made in response to complaints. Visits may be unannounced.

Complaint Procedure

- Complaints may be made verbally by telephone, anonymously, in person, or in writing, to the Child Care Administration.

-A complaint is a verbal or written statement of non-compliance with the regulations.
-Complaints are followed by unannounced on-site inspections (except in some cases of simple unregistered care, where a phone call or letter may suffice). A report of findings is submitted and a conference with supervisory staff is held to conclude the investigation and determine the further course of action, if needed. Complaints involving child abuse or neglect are immediately referred to Protective Services and police, to ensure their participation in the investigation.
-Consequences may involve restriction, remedial instruction, additional monitoring, or reduction of capacity, suspension of registration, or denial of registration renewal.
-The court may impose a fine of up to $1000 on any person found to be operating in violation of the regulations.

Provider Qualifications
-FDC provider must be 18 years of age or older.
-The Medical report forms for providers and adult residents of households call for a TB test if needed, as determined by the physician, or if required by the local Health Officer.
-No other adult immunizations are required.
-Three written references required (not relatives).
-Criminal record check and Child Abuse Registry check required of provider and family members over age 18.

Provider Training and Orientation
-Attendance at an orientation session is required to learn about regulations and to receive an application.
-Training is required; continued training must satisfy the number of hours required by regulation; family child care providers must have six clock hours of continued training in addition to six clock hours of health related training (12 clock hours total) every two years.

Discipline Policy
-The provider or substitute shall use procedures for disciplining a child that are appropriate to the age and maturity of the child and that do not include the deliberate infliction in any manner of any type of physical pain or emotional harm, including physical disciplines, such as: spanking, hitting, shaking, or or emotional disciplines, such as: shaming or ridiculing.

Emergency Medical Consent Policy
-Form is required, but it does not have to be notarized.

Immunization Policy for Children
-Children are required to be immunized.
-Provider is responsible to see that immunizations are current.

National Life Safety Fire Code Policy
-The state fire marshal and the local fire departments have adopted the National Life Safety Fire Code for their inspections of family day care homes.

-The Child Care Administration's regulations governing family day care require that applicants must pass the fire department inspection prior to registration.

Nutrition Policy

-Nutritious meals and snacks shall be provided in the home by either day care provider or parent.
-CACFP has various sponsors in Maryland: including the Planning Council (Norfolk, VA - 17 programs); local Social Service Departments (4 programs); local public schools (2 programs); and the local Health Department (1 program).

Smoking Policy

-Smoking is allowed in family day care home; however, the caregiver may not smoke while engaged in caregiving activities requiring direct physical contact with children, including: feeding, diapering, dressing and rocking.
-Parents must be informed, in advance of placement, if anyone in the household smokes.

Before and After School Programs

-No provision for overlap time for integration of school age children; child/staff ratios must be maintained at all times.

Infant Care Programs

-Regulations are contained within the chapter (Annotated Code of Maryland, Chapter 01, Family Day Care Registration).

Programs for Children with Disabilities

-Regulations are contained within the chapter (see above).

Sick Child Care Programs

-No special regulations. Children who are acutely ill may not be admitted.

Zoning Regulations

-Day care homes must comply with local ordinances. Recent legislation prohibits family child care homes from being construed as small businesses.

Available Resources

-CACFP, local Associations, Resource and Referral Network, Maryland Committee for Children, State Purchase of Care Program, CDA credentialing scholarships, and a grant program which assists providers in meeting the costs of becoming registered.

Local Contact

-Regional offices of Child Care Administration.

Pending/New Legislation

-No pending legislation.

MASSACHUSETTS

Information
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Number of Homes

-**10,859** family day care homes.
-Licensor-provider ratio: 1:387; no information available about optimum ratio.

Provider Regulations

-Licensure required for FDC providers; $75 fee for initial license, plus $75 renewal for every 3 years; independent, approved assistant, $50 fee.
-Provider social security number is requested, but optional.
-Provisional licenses are not issued under any circumstances.
-Providers may care for maximum of 6 children under the age of 7, including participating children living in the home; provider/infant ratio is 1:3. [One of the three must be 15 months of age and walking.]
-Liability insurance not required.
-Space requirements: Indoor - 150 sq. ft. for care of 1 or 2 children, 225 sq. ft. for care of 3-6 children; outdoor - 75 sq. ft. per child in care.
-No provision for group day care homes.

Unannounced Inspection Procedure

-Inspection of FDCH prior to or within 6 months of licensure; subsequent visits made on complaints and for monitoring.
-90% of licensees visited prior to licensure.
-Licensing study visits are generally announced; complaint visits are generally unannounced.

Complaint Procedure

-To file a complaint, orally or in writing contact the Office for Children.
-When a complaint has been filed, the officer will conduct an unannounced monitoring visit and collateral contacts, if appropriate.
-Consequences are as follows: Cited given between 0-30 days to comply, or legal order including: Emergency Deficiency Correction Order, Deficiency Correction Order, Emergency Suspension, a Show Cause to Revoke, fines, or sanctions.

Provider Qualifications

-FDC provider must be 18 years old.

-Provider shall submit evidence, at the time of application of: Immunity for MMR; a negative Mantoux TB test; a physical examination, including any limitations in working with young children.
-The physical must be renewed every three years.
-Two written references required.
-Employer references may be required if person applying for registration has been employed outside home within 5 years prior to application.
-Criminal record checks done on provider, all family members age 17 and over, persons regularly on premises, approved assistants, and household member assistants..

Provider Training and Orientation
-New applicants: CPR, First Aid and a 3 hour orientation approved by the Office using the resource guide "Establishing a Successful Family Day Care Home" developed by the Office.
-Renewal providers: CPR and First Aid; As of January 1995, 10 hours of training required, and in 1996, 15 hours of training required.
-Training must be relevant to the care of young children.

Discipline Policy
-Corporal punishment prohibited.

Emergency Medical Consent Policy
-Forms are required, but they do not have to be notarized.
-Parental permission required for the administration of CPR and First Aid.

Immunization Policy for Children
-Children are required to be immunized; according to the public health schedule, provider is responsible for obtaining up to date information.

National Life Safety Fire Code Policy
-Not adopted.

Nutrition Policy
-MA Department of Education Bureau of Nutrition is state sponsor for USDA CACFP.
-Children shall be offered one snack or meal, if in care for less than four hours and shall be offered regularly scheduled meals and snacks, if in care four hours or longer. Infants and toddlers shall be fed according to their individual feeding schedule or needs. The provider shall not force children to eat.

Smoking Policy
-No smoking in day care space when a day care child is present.

Before and After School Programs
-No special regulations, expect for school age children above the age of seven who are cared for in a family day care home are exempted from licensure when no child under age seven is in care.

-No policy regarding overlap time for school age children integrated with other children in the family day care homes; child/staff ratio must be maintained.

Infant Care Programs

-When caring for children under 15 months, the provider shall:
-Never leave a child unattended in an infant seat, on a table, nor on a changing table.
-Never leave a child awake and unattended in a crib, infant seat on the floor, nor in a playpen for over 15 minutes.
-Keep an adequate supply of clean, dry diapers to meet maintain that the children's needs are met, and promptly change each child's diaper whenever wet or soiled.
-Follow proper diapering procedures, which prevent the spread of diseases in the family day care home and which follow good hygiene practices including: sanitizing, handwashing, use of individual diapering topical ointments, and the use of individual or disposable changing materials.
-Provide a change of clothing for each child.
-Whenever there is more than one child younger than 15 months old in care, clearly label each child's bottles, formula, and other personal items, when appropriate, with the child's name.
-Provide very young children with a balance of activities, including the ability to freely explore the family day care home at least part of each day.

Programs for Children with Disabilities

-The provider shall make reasonable accommodations to serve a child with a disability, unless the accommodations would impose an undue hardship on the FDC home.

Sick Child Care Programs

-Care of mildly ill children:
-The provider may care for children who are mildly ill. If a child becomes ill during the day, the provider must notify the parents.
-When caring for a mildly ill child, the provider must meet his or her individual needs for food, drink, rest, play materials, comfort and appropriate activities as indicated by the health condition of the child.

Zoning Regulations

-Zoning Act: Use of residence as a registered FDCH is permitted under local zoning laws except where the city or town expressly acts to regulate or prohibit FDCH. Since most local zoning laws don't address FDCH, amendment changes presumption to prove that FDCH is a legal use. Boston passed a zoning amendment which allows FDCH to be an accessory use in a private residence.

Available Resources

-Child care resource agencies statewide.

Local Contact

-Local Office for Children.

Pending/New Legislation

-To raise number of children allowed in a FDCH beyond the current number of 6.

-Would require liability insurance for family child care providers.

MICHIGAN

Information
Supplied By: Ted de Wolf, Director
Dept. of Social Services
Division of Child Day Care Licensing
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Lansing, MI 48909
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FAX: (517) 335-6121

Number of Homes

-**11,975** family day care homes.
-**2,301** group day care homes.
-Licensor-provider ratio: information not available.

Provider Regulations

-FDC providers may have 1-6 children and are required to be registered; a fee is required.
-Social security number of provider is required on the supplemental application.
-Provisional licenses are given for 6 months for either a temporary license (original issuance) or for not being in compliance (Adverse Action). Registration Certificates are given to Family Home Providers at original issuance and renewal.
-Staff ratio is 1:6, including family members under 7 years old; no more than 4 children under 30 months and no more than 2 of those children can be under 18 months.
-Certificates of registration renewed every three years via the mail.
-Liability insurance not required.
-Substitute caregiver required for emergencies.
-Space requirements: 35 sq. ft. indoors; 400 sq. ft. for FDCH and GDCH outdoors.
-**Group Day Care Homes:**
  -May serve 7-12 children known as Group Day Care Homes.
  -Provider/child ratio - 1:6.
  -Must be licensed with renewal every 2 years following on-site visit.
  -Special requirements include fire safety provisions for child occupancy above 2nd floor; emergency alarm and procedures; nighttime care, and fire extinguishers.

Unannounced Inspection Procedure

-FDCH inspected within 90 days of receiving certification; 10% random sampling of homes annually; visits usually scheduled. Division may not return unless complaint warrants unannounced visit; renewed every three years based on self-certification.

-Once a complaint has been made, depending on the seriousness of the violations, investigation is to begin within one to five working days; this can include an unannounced visit if the violations warrant it; low risk complaints can be handled at the next licensing visit.
-GDCH: Licensing consultants will make unscheduled visits to all group homes annually to confirm ongoing compliance with rules and to offer consultation and assistance.

Complaint Procedure
-To file a complaint, contact Division of Child Day Care Licensing, either at the local or central office level; a verbal or written complaint can be filed.
-Consequences are a correction of the violations; can also include a warning letter; change to a provisional license; refusal to renew, or a revocation of the license/registration.

Provider Qualifications
-Provider must be at least 18 years old.
-All adult members of the home (14 yrs. of age and older) are required to have TB tests every three years.
-No other adult immunizations required.
-Three written references required.
-Criminal record check required (no fingerprinting) for provider and family members over 18.

Provider Training and Orientation
-Orientation required for FDC providers.
-FDCH providers must complete within 3 years of registration first aid training and both adult and child cardiopulmonary resuscitation.
-GDCH must complete within 2 years of being licensed 20 clock hours of training related to care of children, including first aid, CPR, and 8 hours of child development; Child Abuse Central Registry also reviewed.

Discipline Policy
-Corporal punishment including spanking prohibited.

Emergency Medical Consent Policy
-Form is required.
-Notarization is encouraged because hospitals are more likely to trust it if it has been notarized.

Immunization Policy for Children
-Children are not required to be immunized, although the provider is required to obtain a health record on each child which includes any immunizations.
-Provider is responsible to maintain current and accurate health record.

National Life Safety Fire Code Policy
-Not adopted.

Nutrition Policy
- -MI Department of Education is state sponsor for USDA CACFP.
- -Nutritional guidelines comply with USDA CACFP.

Smoking Policy
- -No smoking allowed on the premises during hours of operation for both FDCH and GDCH.

Before and After School Programs
- -No special regulations.
- -Overlap time for the integration of school age children into a family day care home caring for younger children is not allowed; child/staff ratio must be maintained at all times.

Infant Care Programs
- -No special regulations.

Programs for Children with Disabilities
- -No special regulations.

Sick Child Care Programs
- -In FDCH and GDCH, no complete prohibition against sick children unlike centers.
- -Isolate the child, if necessary.
- -Report to parent immediately re: sickness.
- -Written permission from parent required for administering medication.

Zoning Regulations
- -FDCH and GDCH are expected to comply with local ordinances. However, a license or certificate of registration will be issued as licensing law does not require such compliance.

Available Resources
- -Child Care Coordinating Council (4 C's).

Local Contact
- -The Dept. of Social Services office in the county in which one lives.

Pending/New Legislation
- -Proposal for regulation of family day care homes.

MINNESOTA

Information
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Dept. of Human Services
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Number of Homes

- **14,410** family and group day care homes [MN does not break it down.]
- Licensor-provider ratio: 1:50-200+, depending on the county.

Provider Regulations

- FDC providers required to be licensed; no fee.
- Licenses are renewed annually through reapplication procedure.
- Social security number of provider is not required.
- Provisional licenses are not issued under any circumstances.
- Staff ratios are: 1:6, maximum of 3 infants; 1:8, maximum of 2 infants; 1:10, no more than total of 4 may be infants and toddlers with maximum of 3 infants, and at least 4 must be school-age. (Infants defined by MN as 12 months and under, toddlers as 12-30 months.)
- Ratios include provider's own children 11 years of age and under.
- Liability insurance strongly encouraged; if provider has insurance less than $100,000/person and $250,000/occurrence, or no insurance, written notice of level of coverage must be given to and signed by parents of each child in day care home.
- Substitute caregivers restricted to 30 days per 12 month period.
- Space requirements: Inside - 35 sq. ft. per child; outside - 50 sq. ft. per child.
- **Group Day Care Homes:**
  - May care for 10, 12, or 14 children.
  - Must adhere to following staff ratios:
    a) 10 children: maximum of 3 infants and toddlers--only 2 may be infants; 2 must be school age; one provider.
    b) 12 children: maximum of 2 infants and toddlers--only 1 may be an infant; 2 must be school age; one provider.
    c) 14 children: maximum of 4 infants and toddlers--only 3 may be infants; 2 must be school age; two providers.

Unannounced Inspection Procedure

- Day care homes inspected prior to licensing; subsequent visits at relicensing-advance notice may be given.
- When a complaints is filed, the county may or may not make an unannounced visit; however, many county agencies make unannounced visits.

Complaint Procedure

-Complaints are handled by the county social service agencies who are responsible for initial licensing, relicensing and investigation of complaints.

-Depending on the nature and severity of the violation, the sanctions may one of the following: a correction order, probation, suspension, suspension followed by probation, revocation, or immediate suspension.

Provider Qualifications

-FDC provider must be at least 18 years old.

-Provider and all adult caregivers assisting with care must have physical exam within 12 months of licensing.

-No adult immunizations required.

-No information about number of references required.

-Criminal record checks required; statute currently does not allow expenses for criminal records' checks to be passed on to the provider.

Provider Training and Orientation

-No training required before license granted; provider must have 9 hours of CPR within 1 year of or 1 year prior to licensing, in addition to 6 hours of child development.

-GFDC providers must meet one of three separate qualification requirements to begin GDCH care; the first option is a minimum of 1 year's experience as a licensed FDC provider and the other two options are combinations of experience as a provider, teaching assistant, nurse, etc. coupled with specified hours of training or child development education.

Discipline Policy

-Corporal punishment prohibited.

Emergency Medical Consent Policy

-Medical consent form required; but it does not have to be notarized.

Immunization Policy for Children

-Children must be immunized.

-Provider is responsible for having current immunizations records which are checked annually at relicensing by social workers or relicensing worker.

National Life Safety Fire Code Policy

-Not adopted.

Nutrition Policy

-MN Department of Education is state sponsor for USDA CACFP.

-Most providers participate in CACFP; if they don't, sample menus are provided.

Smoking Policy

-Smoking is restricted in licensed day care home during day care hours.

Before and After School Programs
-Homes that care for only school age children are not required to be licensed by statute.
-No policy regarding overlap time for integration of school age children into the family day care home; child/staff ratios must be maintained at all times.

Infant Care Programs
-No special regulations.

Programs for Children with Disabilities
-No special regulations.

Sick Child Care Programs
-No special regulations; a provider can decide for herself if she will accept a sick child into her home.

Zoning Regulations
-1990 Legislature made FDC for 14 or less children a permitted single-family residential use.

Available Resources
-A list is available of county associations and state association, and food programs within the county.

Local Contact
-County Department of Social Services for family day care homes.

Pending/New Legislation
-None.

MISSISSIPPI

Information
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Division of Child Care
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Number of Homes

- **No** voluntarily registered homes (legislation passed in 1990).
- **65** group family day care homes (called centers)
- **33** Title XX homes
- Licensor-Provider ratio: 1:75 (for licensed facilities)

Provider Regulations

- Voluntary registration for homes caring for 1-5 children.
- Registration fee is $5
- Social security number of provider is required for records checks, which is mandatory for license application; forms should be revised to include social security number.
- Provisional licenses are issued only with initial application; not to exceed 6 months.
- Liability insurance not required.
- Annual license renewal upon completion of inspections & submission of fee.
- Space requirements: 35 sq. ft. of usable space per child inside; 70 sq. ft.of fenced area per child outside.
- **Group Day Care Homes:**
  - Licensing required
  - Annual licensure fee of $30, up to $200 depending on the number of children licensed for; for FDCH with less than 6, annual renewal fee of $5 required.
  - Allows up to 6 -15 children.
  - No specific regulations.
  - Infant ratio 1:5.

Unannounced Inspection Procedure

- Inspections occur before license is issued; thereafter at least twice a year.
- No staff nor funding to increase current inspections - random unannounced site visits only deterrent to non-compliance.

Complaint Procedures

- No information available.

Provider Qualifications

- Provider must be at least 21 years old.
- No physical exam or TB test required; health statement required before licensing.

-MMR is only other adult immunization test required.
-Provider or anyone else in the FDCH who lives there or spends a significant amount of time at the day care home when the children are there cannot be carrying an infectious disease.
-Provider cannot be a disabled person who needs a guardian and/or conservator.
-No information about number of references required.
-Sex offense and child abuse registry checks required.
-Criminal record checked for crime against persons, drugs, child abuse, sex offense, or any other offense related to the job of day care provider.

Provider Training and Orientation
-6 hours per year.

Discipline Policy
-Corporal punishment, including spanking is prohibited.

Emergency Medical Consent Policy
-Form required in licensed homes, but does not have to be notarized.

Immunization Policy for Children
-Children must be immunized in licensed homes.

National Life Safety Code Policy
-Self-evaluation by operator incorporates Life Safety Code requirements.

Nutrition Policy
-No information available.

Smoking Policy
-Smoking not allowed on site when children are present.

Before and After School Programs
-No special regulations.
-No policy regarding overlap time.

Infant Care Programs
-Special regulations about space requirements, diapering and toileting, sleeping, feeding, safety and sanitary procedures, toys and equipment, program activities, and transportation.

Programs for Children with Disabilities
-No special regulations.

Sick Child Care Programs
-Any child with a serious contagious disease must be reported immediately to the local health department officer.
-Day care provider may exclude, isolate, or group together sick child(ren) based on level of sickness and contagiousness, must call parent and request them to pick up their sick child(ren).

Zoning Regulations
-Must comply with local zoning ordinances.

Available Resources
-No information available.

Local Contact
-Health Dept. for Licensure, Welfare for Slot Purchase Funding, Education (State Office) for USDA Assistance.

Pending/New Legislation
-None.

MISSOURI

Information
Supplied By: Cynthia Buser, Chief
Bureau of Child Care, Safety & Licensing
Department of Health
P.O. Box 570
Jefferson City, MO 65103
PHONE: (314) 751-6208
FAX: (314) 751-6010

Number of Homes

-**2,612** family day care homes.
-**150** group day care homes.
-Licensor-provider ratio: 1:70-90 (ratio includes both homes and centers)

Provider Regulations

-Licensing required; renewed every two years.
-Social security number of provider is required.
-Provisional licenses are not issued under any circumstances.
-Provider may care for maximum of 10 children; providers may obtain a flexible license; ages of children determine necessity of assistant.
-Staff/infant ratio is 1:4.
-Liability insurance is not required.
-Parents required to sign statement indicating that they have seen a copy of the licensing rules.
-Substitute caregiver required before license is given.
-Space requirements: 35 sq. ft. indoors; 75 sq. ft. outdoors.
-**Group Family Day Care Homes:**
 -11 - 20 children with 2 adult caregivers.
 -Licensing required.
 -Follow day care center regulations.

Unannounced Inspection Procedure

-Inspections occur before license is granted; 3 supervisory visits and a renewal inspection required during licensure period.
-Homes inspected semi-annually.

Complaint Procedure

-To file a complaint, telephone or write to the day care licensing representative.
-When a complaint filed, unannounced visit is made to the home.
-Consequences depend on the severity; we could have a facility review conference or revocation; no authority for fines.

Provider Qualifications

-FDC provider must be at least 18 years old.
-Physical exams and TB screening necessary for provider and any family member that resides in the home during day care hours.
-No other adult immunizations required.

-Three written references required.
-No criminal record checks required.

Provider Training and Orientation
-12 clock hours per year required.

Discipline Policy
-Corporal punishment prohibited.

Emergency Medical Consent Policy
-Form is required, but it does not need to be notarized.

Immunization Policy for Children
-State law requires immunizations for children prior to enrollment in day care facilities caring for more than 9 children; monitoring is done by the Department of Health.

National Life Safety Fire Code
-Not adopted.

Nutrition Policy
-MO Department of Health is state sponsoring agency for USDA CACFP.
-Must comply with USDA guidelines.

Smoking Policy
-State law prohibits smoking in all child care facilities.

Before and After School Programs
-On a full vacation day the child may bring a sack lunch only if in a program for school age only.
-Overlap of 1/3 of children may be approved when integrating school age into family day care where younger age children are in care.

Infant Care Programs
-No special regulations.

Programs for Children with Disabilities
-Individual health care plan on file.

Sick Child Care Programs
-Comprehensive proposed rules and regulations for facilities providing care specifically for ill children.

Zoning Regulations
-Providers are responsible to comply with local ordinances.

Available Resources
-Family day care associations and resource and referral agencies.

Local Contact
-Local Department of Health Office.

Pending/New Legislation
-None.

MONTANA

Information
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Day Care Program Officer
Department of Family Services
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Helena, Montana 59604
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Number of Homes

- **1,193** family day care homes.
- **533** group day care homes.
- Licensor-provider ratio: 6.7:2000+ care facilities; optimum level: 1:20-50.

Provider Regulations

- Homes registered for 1-6 children including family's children who are under six years of age; no registration fee.
- Registrations renewed annually through reapplication.
- Liability insurance required by law.
- Social security number of provider is required.
- Provisional licenses are issued, but cannot extend 6 months in total; only given when provider is attempting to comply with other requirements.
- Space requirements: 35 sq. ft. inside; 75 sq. ft. outside.
- **Group Day Care Homes:**
  - Must be registered.
  - Maximum of 12 children with 2 providers.
  - Provider/child ratio - 1:6 for children over age 2.

Unannounced Inspection Procedure

- No inspection required before registration; 20% of homes inspected annually.
- When a complaint is filed, Licensing Rep determines substantiation and takes necessary action which can include an unannounced visit.

Complaint Procedure

- Complaints can be received by either DFS or R&R agencies; if taken by R&R, they are then forwarded to DFS Child Protection Unit or Licensing Rep. If complaint is directed to Licensing Rep, investigation takes place.
- Consequences for operating illegally: $500 fine for regulation violations; suspension or revocation depends upon situation and degree of intent.

Provider Qualifications

- Provider must be at least 18 years old.
- All caregivers and members of household must have current immunizations, TB, MMR, & TD.
- Three written or oral references required.

-No criminal record checks or fingerprinting required; but can be done depending upon local office discretion.
-A Child Protective Services Check is conducted.

Provider Training and Orientation
-GDCH: Providers must attend a basic day care orientation within the first 60 days of certification.
-CPR and first aid training is currently strongly recommended, and pending to be a requirement for all providers, regardless of environment.

Discipline Policy
-Corporal punishment prohibited.

Emergency Medical Consent Policy
-Forms are required, but they do not have to be notarized.

Immunization Policy for Children
-Children are required to be immunized; provider must keep updated records of the immunizations. HIB only for children under 5 years.

National Life Safety Fire Code Policy
-Not adopted.

Nutrition Policy
-MT Department of Health is state sponsor for USDA CACFP.
-Nutritious meals must be served; most providers participate in CACFP.

Smoking Policy
-Smoking is allowed; however, current regulatory study mandated by CCDBG is recommending that there be a NO smoking allowed policy.

Before and After School Programs
-No special regulations.
-Overlap hours cannot exceed 3 hours per day. In group home situations if registered for 9 or fewer children, only 3 additional children can be served in overlap; registered for 10 or fewer only 4 additional children. In family day care homes no more than 2 children can be served.

Infant Care Programs
-Supplemental regulations for infant day care were recently revised.
-Each infant needs a written statement by a physician or county health nurse concerning any special needs and documents child's presence in day care poses no health risk to other children.
-Special regulations regarding diapering, wet or soiled clothing, feeding, bathing, sleeping, transportation, activities, building and space, and equipment.

-In FDCH, if only infants are cared for, there may be up to 4 babies with no other children in attendance. Staff/child ratio: 1:4; each child is assigned a primary caregiver; staff must be sufficient so that there is always one adult present and supervising. In GDCH, if only infants are cared for, there may be up to 8 babies with 2 caregivers. No other children can be in attendance.

Programs for Children with Disabilities

-Day care for children with disabilities is at the paid rate of $12.00/day in family day care and group day care homes, while centers are paid more.

Sick Child Care Programs

-No special regulations; currently working on proposed regulations.

Zoning Regulations

-FDCH and GDCH exempt from conditional use permit requirements; both are legitimate uses of residential property; zoning depends upon the community. Some zoning laws differ community to community.

Available Resources

-CACFP, Montana Child Care Associations, services through R&R's; upon registration are eligible for CCDBG funding.

Local Contact

-Department of Family Services Regional Office.

Pending/New Legislation

-The state has contracted with the Montana Childcare Association to study the present state regulations for family, group day care and centers.

NEBRASKA

Information
Supplied By: Pat Urzedowski
Assistant Division Administrator
Child Care and Development Division
Department of Social Services
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Lincoln, NE 68509
PHONE: (402) 471-9431
FAX: (402) 471-9455

Number of Homes

- **3,894** family day care homes.
- **256** group day care homes.
- Ratio of licensing specialists to homes is approximately 1:150, in addition to other types of programs. These additional programs add approximately 48 licensed child care programs to the caseload.

Provider Regulations

- Self-certification process for FDC providers; fee is $25 and must be renewed every 2 years; money goes to general fund for Dept. of Social Services.
- Social security number of provider is required.
- Provisional licenses are soon to be issued (See Pending/New Legislation).
- FDC providers may care for up to 8 children including their own children under 8 years old; no more than 2 children may be under 18 months old; additionally there may be 2 additional overlap children for no more than 4 hours a day.
- Provider/child ratio: infants only - maximum of 4; mixed ages - maximum of 8, no more than 2 infants at one time; school age only maximum of 10.
- Liability insurance is not required.
- Space requirements: 35 sq. ft. indoors per child; 50 sq. ft. outdoors per child.
- **Group Day Care Homes:**
  - Provider/child ratio: 9-12 children with 2 providers.
  - If more than 2 infants are present, or 8 or fewer children with 1 adult, maximum of 4 infants in mixed age Group Day Care Homes.
  - If infants only - 3 caregivers to 12 infants or 2 caregivers to 8 infants.
  - Must be inspected by Fire Marshal, Dept. of Health, and Dept. of Social Services prior to license issuance.

Unannounced Inspection Procedure

- Child Care Resource Specialist is required to make unannounced visit within 60 days of issuance or renewal of license.
- Complaint allegations are investigated by an unannounced visit and unannounced follow-up visits if necessary.

Complaint Procedure

-To file a complaint, call or write the Department of Social Services, Child Care and Development Division.

-Consequences are dependent upon the nature of the violations; may range from issuance of noncompliance report to emergency order which immediately revokes the license.

Provider Qualifications

-FDC provider must be at least 19 years old.

-Physical exam required and shall include: blood pressure, urinalysis, self-disclosure statement on substance abuse and treatment for mental health problems.

-There are no Health or Social Services policies regarding immunization of adult members in the house, including the child care provider.

-No information about number of references required.

-Some cities have permit requirements which includes criminal records check.

Provider Training and Orientation

-FDC providers not required to have training except for CPR/First Aid training.

-GDCH Providers must meet one of following:

  -2 years experience as a licensed family day care home provider;

  -1 year in GDCH experience;

  -2 credit hours or 20 clock hours in early childhood education, child development, or child care administration.

Discipline Policy

-Corporal punishment in form of an open hand on the buttocks is allowed in FDCH with written permission from parents.

-Corporal punishment prohibited in GDCH.

Emergency Medical Consent Policy

-Forms are required, but they do not have to be notarized.

Immunization Policy for Children

-Immunization regulated by Nebraska Department of Health.

-The proposed Family Child Care Home Regulations would require child care providers to maintain copies of children's immunization records that will be available upon request.

-Providers are required to retain copies of immunization records of all children and send aggregate data to the DOH on a yearly basis.

National Life Safety Fire Code Policy

-Followed by both FDCH and GDCH.

Nutrition Policy

-NE Department of Education is state sponsor for USDA CACFP.

-Nutritional guidelines comply with USDA CACFP.

Smoking Policy

-Nebraska is proposing a significant change in the smoking regulations for Family Child Care Homes: Smoking will be prohibited in all areas of the home designated for child care during the hours of operation.

-The child care provider shall inform parents of all enrolled children, if any household member, including the provider, smokes in the home.

-The information will be provided to parents before accepting a child into care.

Before and After School Programs

-No special regulations.

Infant Care Programs

-Section of regulations pertain to those providing infant care.

Programs for Children with Disabilities

-No special regulations.

Sick Child Care Programs

-No special regulations.

Zoning Regulations

-Quality Child Care Act prohibits cities and communities from imposing zoning ordinances that prohibit family day care.

-No specific regulations pertaining to zoning.

Available Resources

-Information on local organizations, consultations and technical assistance on quality care, and training and information on available grants.

Local Contact

-There are 25 Child Care Resource Specialists in 10 locations throughout the State.

-There are 50 Registration Clerks throughout the State DSS offices.

Pending/New Legislation

-Looking at changing the name FDCH to FCCH I and GFDCH to FCCH II.

-The department is working to establish a core set of regulations with specific guidelines for specialized kinds of issues to be written and promulgated in 1994.

-Pending legislation recently introduced involving provisional and probationary licenses.

a)All newly licensed child care providers will be issued a provisional license for a period of one year, to be extended for no more than 6 months under specific circumstances.

b)A probationary status is one alternative to serious non-compliance when there is not a danger to the safety of children or staff. Probationary status can only be in effect for six months and requires that a corrective plan be developed by the provider and monitored by Department staff.

NEVADA

Information
Supplied By: Patricia J. Simonsen, Chief
Bureau of Services for Child Care
850 Elm Street #22
Elko, NV 89801
PHONE: (702) 753-1111

Number of Homes

- **467** family child care homes.
- **30** group family care homes.
- Licensor-provider ratio: no information available; licensors have a mixed caseload of family child care, group homes, and centers.

Provider Regulations

- Licensing by State required when caring for 5 or more children for compensation.*
- Licensing fees: 6 or less children - $20; 7-12 children - $60.
- Licenses renewed annually.
- Social security number of provider is required to conduct FBI checks.
- Provisional license may be issued to allow time for a facility to come into compliance.
- FDC providers may care for maximum of 6 children, not including family members; maximum of 4 children under 2 years of age, with no more than 2 children under 1 year.
- Liability insurance required.
- Substitute caregiver required, providers must give the name and phone number of the substitute to the licensing agency with proof of FBI check.
- Space requirements: 35 sq. ft. per child inside usable space; 37 1/2 sq. ft. per child outside.
- **Group Day Care Homes:**
- Known as Group Care Home.
- 7-12 children must be cared for by a minimum of 2 providers.
- Provider/child ratio of 1:6 maintained; no more than 8 children under 3 years old with no more than 4 children under 1 year.
- An additional caretaker must be on duty whenever one or more of the following conditions exist:
  a) More than six children are in the facility;
  b) More than four of the children are less than 2 years of age;
  c) More than two of the children are less than 1 year of age.

Unannounced Inspection Procedure

- Initial inspections prior to licensure; subsequent inspections throughout year with minimum visits of once every 6 months.
- Inspections are random with no advance notice.

Complaint Procedure

- To file a complaint, register with licensing entity.
- When a complaint is filed, follow-up procedure is dependent upon nature of complaint.
- Consequences are dependent upon regulation section(s) out of compliance.

Provider Qualifications

- Owner must be 18 years old. The facility may not be operated without a caregiver a minimum of 18 years old on the premises.
- Caregivers must be at least 16 years old and have had a Child Development course if under 18 years of age. No more than 50% may be under 18 years.
- Physical exams not required; TB test is required, renewable every 2 years.
- No other adult immunizations required.
- No information about number of references required.
- FBI background checks conducted on all licensees and adult family members living in home, renewable every 6 years.

Provider Training and Orientation

- Providers must take an initial 3 hours of training within the first six months of licensing; 3 hours of continuing education annually follows.

Discipline Policy

- Corporal punishment prohibited.

Emergency Medical Consent Policy

- Form is required, but it does not have to be notarized.

Immunization Policy for Children

- Provider must obtain and maintain on premises a current immunization record for each child prior to their admittance.
- Provider is responsible for seeing that the parent keeps child's immunization record current.

National Life Safety Fire Code Policy

- Adopted by the State Fire Marshal's Office.

Nutrition Policy

- NV Department of Education is state sponsor for USDA CACFP.
- Meals and snacks must be of a quality and quantity which supplements the food served at home. Cultural and ethnic foods which are appropriate for children must be considered in planning meals. Further specific guidelines are required.

Smoking Policy

- Smoking is allowed in family child care, but is prohibited in group homes unless an assigned smoking area is approved by State Fire Marshall.
- Parents must be notified in writing that smoking is permitted in both settings.

Before and After School Programs
-No special regulations.
-No overlap time policy.

Infant Care Programs
-Special regulations adopted.

Programs for Children with Disabilities
-Special regulations adopted.

Sick Child Care Programs
-Special regulations adopted.

Zoning Regulations
-Child care homes must comply with applicable local ordinances.

Available Resources
-Training and resources provided by the Bureau. Training that is provided by other sources must be approved by the appropriate licensing entity.

Local Contact
-Except for localities listed below, contact the Bureau of Services for Child Care (702-687-5911) to get the county or city contact near your area.

Pending/New Legislation
-None.

*The Bureau of Services for Child Care does not license child care facilities in the localities listed below. Please direct inquiries concerning these facilities to one of the following:

Carson City

Carson City Health Dept.
Environmental Health Svs.
1711 North Roop Street
Carson City, NV 89701
(702) 887-2190

Las Vegas(within city limits)

Privilege License Div.
City of Las Vegas
Dept. of Business Activity
400 E. Stewart Ave.
Las Vegas, NV 89101
(702) 386-6011

Clark County (Unincorporated areas)

Child Welfare Licensing
Clark County Social Services
1600 Pinto Lane
Las Vegas, NV 89106
(702) 455-5722

Washoe County

Washoe Co. Social Svs.
Wells Ave. at 9th St.
P.O. Box 11130
Reno, NV 89520-0027
(702) 328-2300

NEW HAMPSHIRE

Information
Supplied By: Sharon Lee, Licensing Supervisor
Bureau of Child Care Licensing
Health and Human Services Building
6 Hazen Drive
Concord, NH 03301-6527
PHONE: (603) 271-4523
FAX: (603) 271-3745

Number of Homes

- **370** family day care homes.
- **130** group day care homes.
- Licensor-provider ratio: 1:175 (approximately); optimum supervision ratio: 1:50-75

Provider Regulations

- Licensing required; renewed every 3 years.
- Social security number of providers is not required.
- A 6 month permit is issued to all new facilities to allow the department to monitor compliance with regulations when they providers are actually caring for children.
- In a family day care home, 1 provider may care for any 1 of the following groups of children (includes the provider's own biological or adopted children, foster and resident children up to 10 years of age):
  1) 6 preschool children and 3 school age children provided that no more than 3 children shall be under 36 months of age of which no more than 2 shall be under 19 months of age.
  2) 5 preschool children and 3 school age children provided that no more than 4 children shall be under 36 months of age of which no more than 2 children shall be under 24 months of age.
  3) 4 children under 36 months of age.
  4) 6 preschool children and 3 school age children provided that no more than 4 children shall be under 36 months or age of which no more than 2 children shall be under 24 months of age.
- Substitute caregiver required.
- National Fire Prevention Code needs to be met, regulated by New Hampshire Dept. of Safety, Fire Marshall's Office.
- Space requirements: Inside - 35 sq. ft. per child; outside - 50 sq. ft. per child; however, homes with less than 50 sq. ft. per child outside are acceptable as long as the outside area is at least 1/3 of the required 50 sq. ft. per child and as long as the area of outside sq. ft. per child never falls below, at any time, 50 sq. ft. for every child outside.
- **Group Day Care Homes:**
  - 2 caregivers with 7-12 children and up to an additional 5 school age children; may have up to 4 children under 3 years of age.
  - Same provider/infant ratios.

Unannounced Inspection Procedure
-All DCH inspected by health and fire departments; inspection by licensing bureau occurs prior to license being granted and 3 times during 3-year license period; at least one inspection/license period is unannounced.

Complaint Procedure
-To file a complaint, write or phone the Bureau of Child Care Licensing and give specifics of the complaint.
-When a complaint is filed, an unannounced investigation begins.
-Consequences depend upon severity of violation; routine violations would be issued, summary of findings, and required to submit corrective action plan; more serious violations, i.e. abuse/neglect, or serious health and safety violations might result in action against a license.

Provider Qualifications
-FDC provider must be at least 18 years old.
-Physical exams required every 3 years.
-Immunizations are not required for providers or adult household members.
-No information concerning number of references required.
-In-state criminal and child abuse record checks required for provider, staff and for any resident in home over 18 years old.

Provider Training and Orientation
-First Aid and Child CPR certification is required.
-FDC providers between 18 and 21 years of age must have a child care vocational course approved by the State Dept. of Education.

Discipline Policy
-Corporal punishment prohibited as is punishment which is humiliating, shaming, frightening or otherwise damaging to children. Children's behavior supported with positive guidance.

Emergency Medical Consent Policy
-Form is required, but it does not have to be notarized.

Immunization Policy for Children
-Children must be immunized; records must be on file in the home the first day the child attends. The provider is not in compliance with regulations if a child falls behind in immunization status; religious and medical exemptions are allowed.

National Life Safety Fire Code Policy
-The State Fire Marshall has adopted the National Code.

Nutrition Policy
-NH Department of Education is state sponsor for USDA CACFP.
-Providers must assure children are served meals and snacks equal to USDA CACFP guidelines; if parents supply food, providers must supplement inadequate meals and snacks.

Smoking Policy
- Smoking is prohibited in family and family group day care homes during hours of operation.

Before and After School Programs
- No separate special regulations.
- No overlap time allowed; must be licensed to provide care to school age children; must abide by maximum capacity on license.

Infant Care Programs
- No separate special regulations.

Programs for Children with Disabilities
- Provider must consult for the child's parent(s), physician or other professional source providing services to the child, on an ongoing basis, as designated by the parent in order to obtain written instructions regarding the child's disability and methods of meeting the child's special needs.

Sick Child Care Programs
- No programs available.

Zoning Regulations
- FDCH and LFDCH must comply with local ordinances, some of which have changed in regards to inspections and zoning fees.

Available Resources
- Food programs, family day care associations, training organizations, resource and referral organizations.

Local Contact
- New Hampshire Division of Public Health Service, Bureau of Child Care Licensing, or call 1-800-852-3345 ext. 4624, or 1-603-271-4624.

Pending/New Legislation
- Zoning legislation is pending to assure FDCH are not zoned out.

NEW JERSEY

Information
Supplied By: Richard Crane, Chief
Bureau of Licensing
Division of Youth and Family Services, CN 717
Trenton, NJ 08625-0717
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FAX: (609) 292-6976

Number of Homes

-**4,200** voluntary registered family day care homes.

-Licensor-provider ratio: no exact number available, each sponsoring organization determines the number of staff members needed to carry out the voluntary registration program based on available funds and the number of registered homes in its area.

Provider Regulations

-Voluntary registration: providers participating in this program must obtain a Certificate of Registration; renewable every 3 years ($25 fee, which is used by sponsoring organizations to support registration programs).

-NJ has a two-tiered system of regulation: Division of Youth and Family Services (DYFS) inspects, approves and contracts with Family Day Care Sponsoring Organizations; these organizations then inspect, monitor and register FDC providers.

-Each sponsoring organization has a designated geographical area that it is responsible for (one or more counties).

-In addition, there are Family Day Care networks that can be private for profit or non-profit who screen, train and approve family day care homes, but do not have the State contract to issue a registration certificate.

-Social security number of provider not required for registration.

-Providers in substantial compliance with registration regulations may receive a temporary registration for no longer than 6 months. An amendment is planned to permit temporary registrations to be renewed for a total time no longer than one year.

-Provider/child ratio is 1:5; 3 additional children are allowed if they reside in the home or are the assistant's or substitute's children; provider/infant ratio is 1:3. (See explanation below.)

-Providers that do not participate in the voluntary registration program have no regulations or requirements to meet, but do not accrue the benefits of FDC registration, including referrals of consumers through the State Resource and Referral System.

-Liability insurance is not required but most FDC networks make it available to the providers in their network either by paying the premium for the provider or by collecting the premium from the provider and submitting it to the insurance agency.

-**NJ has no Group Day Care Homes.**

-Programs serving 6 or more children under age 13 must be licensed as a child care center and follow center regulations.

Unannounced Inspection Procedure

-Inspections are done prior to certification and then once every 2 years, plus 20% random sample inspected annually.

-When a complaint has been filed, the sponsoring organization's investigation may include a home visit as necessary and this visit is unannounced.

Complaint Procedure

-Complaints may be made by telephone, in writing or in person to the sponsoring organization. Complaints may be made anonymously. Institutional Abuse Investigation Unit in the DYFS receives and investigates complaints alleging child abuse or neglect in registered homes.

-Consequences: The provider is given an opportunity to abate the violations; repeated and/or unabated violations may result in suspension, revocation or refusal to renew the registration.

Provider Qualifications

-FDC providers must be 18 years old.

-Providers and assistants must submit a medical statement including Mantoux test or chest x-ray.

-Adult immunizations are left up to opinion of physician. No health information is required from other adults who do not care for the children.

-Two written references required.

-Self-disclosure of criminal convictions of the provider, provider substitute, assistant, and all members of the provider household over 14 years of age.

Provider Training and Orientation

-6 hours of pre-service training before a Certificate of Registration is issued; topics include child development, discipline, safety, first aid, health, nutrition, program activities, and parent-provider communication.

-2 hours of in-service training required annually.

Discipline Policy

-Corporal punishment prohibited.

Emergency Medical Consent Policy

-Form is required, but it does not have to be notarized.

Immunization Policy for Children

-Registered providers are required to have children's immunization records on file. Parents are responsible for keeping the records current.

National Life Safety Fire Code Policy

-Not adopted.

-However, safety and fire prevention provisions are included in the registration regulations, and all homes must meet applicable provisions of the New Jersey Uniform Fire Code.

Nutrition Policy

-NJ Department of Education is state sponsor for USDA CACFP.

-Nutritious meals and snacks are required at appropriate times; specific menu components are not specified in the family day care registration regulations.

Smoking Policy

-Smoking is currently allowed without restrictions.

-Amendments are planned to prohibit smoking within sight of children and to require the provider to inform parents about smoking by anyone in the home.

Before and After School Programs

-No special regulations.

-No policy on time overlap for integration of before and after school children into family day care home caring for young children at other times.

Infant Care Programs

-No special regulations.

Programs for Children with Disabilities

-No special regulations.

Sick Child Care Programs

-No special regulations.

Zoning Regulations

-Zoning law deems FDCH's are a permitted use in residential zones, condominiums, cooperatives and horizontal property regimes.

Available Resources

-Sponsoring organizations offer a variety of resources based on local availability; these may include CACFP, provider associations, insurance plans,private networks, training workshops, lending library, equipment loan, etc.

Local Contact

-Family day care sponsoring organizations, which may be public agencies or private non-profit organizations.

Pending/New Legislation

-A provision of the zoning law that required fingerprint background checks for registered family day care providers has been repealed. As an alternative, new legislation was signed into law in December 1993 and will take effect in July 1995 requiring providers to be screened for any substantiated allegation of child abuse or neglect.

-The registration regulations will be revised in 1994. Amendments are planned that will simplify the provisions on maximum number of children permitted in the home, and modify some other provisions.

Family Day Care Sponsoring Organizations

Atlantic	
Atlantic County Women's Center	(609) 646-6071
Bergen	
Bergen County Office for Children	(201) 646-3694
Burlington	
Children's Home Society	(609) 695-6274
Camden	
Camden County Division of Children's Services	(609) 968-4260
Cape May or Gloucester	
Family Day Care of Gloucester County, Inc.	(609) 589-0260
Cumberland	
Martin Luther King Academy	(609) 692-6012
Essex	
Programs for Parents	(201) 857-5177
Hudson	
North Jersey Community Coordinated Child Care	(201) 420-6360
Hunterdon	
Child Care Channels	(908) 782-7905
Mercer	
Child Care Connection, Inc.	(609) 737-3945
Middlesex	
Middlesex County Board of Social Services	(908) 745-3500
Monmouth	
United Way of Monmouth County	(908) 938-5612
Morris	
Children's Services of Morris County	(201) 927-6060
Ocean	
CHS Child Care	(908) 905-6363
Passaic	
North Jersey Community Coordinated Child Care	(201) 684-1904
Salem	
Educational Information and Resource Center	(609) 582-8282
Somerset	
Child Care Connection, Inc.	(908) 725-2059
Sussex	
NORWESCAP	(201) 383-3461
Union	
Community Coordinated Child Care of Union County	(201) 923-1433
Warren	
Child Care Channels	(908) 454-2074

NEW MEXICO

Information
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Child Care Licensing Bureau
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Santa Fe, NM 87502-6110
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FAX: (505) 827-9978

Number of Homes

- **155** family day care homes.
- **123** group day care homes.
- Licensor-provider ratio: 1:84; no information available for optimum level.

Provider Regulations

- Licensing required for providers caring for 5 or more children; $15 annual licensing fee with renewal.
- Social security number of provider is not required.
- Temporary licenses are offered for up to 120 days when not all requirements are met, but no health or safety violations.
- FDCH may have maximum of 6 children with no more than 2 under the age of 2, includes provider's children under age 6.
- Provider/child ratios: infants, toddlers, preschoolers, and schoolage - 1:6 and 2:7-12.
- Liability insurance not required.
- Space requirements: Inside- 35 sq. ft. of activity area per child; outside- 60 sq. ft. per child for 20% of the licensed capacity.
- **Group Day Care Homes:**
  - 7-12 children may be cared for with maximum of 4 under age 2.
  - Provider/child ratio is 1:6.

Unannounced Inspection Procedure

- Inspections occur before licensure and semi-annually thereafter.
- When a complaint has been filed, an unannounced visit takes place, with social services if abuse/neglect.

Complaint Procedure

- To file a complaint, call or write the licensing agency; anonymous complaints are accepted.
- Consequences: depending on seriousness, can range from license suspension or revocation to plan of correction.

Provider Qualifications

- Day care provider must be 18 years old.
- Initial TB test required.
- No adult immunizations required.
- No information about number of references required.

-Criminal record checks and fingerprinting required for provider and household members over 18 years old; cost is $23 per person. (Paid to the Federal Bureau of Investigations.)

Provider Training and Orientation

-Training required for FDC and GDCH providers.

-FDC: Providers must have 6 hours training annually in topics such as first aid, sanitation, nutrition, etc.

-GDCH: Providers must have 12 hours training annually; 6 hours will cover topics covered with FDC providers and the other 6 will be in child growth and development.

Discipline Policy

-Corporal punishment prohibited.

Emergency Medical Consent Policy

-Forms are required, but they do not have to be notarized.

Immunization Policy for Children

-Children must be immunized; provider must dis-enroll a child whose records are not current.

National Life Safety Fire Code Policy

-Included as adopted by the state Fire Marshall's Office.

Nutrition Policy

-NM Family Nutrition Bureau is state sponsor for USDA CACFP.

-Providers must adhere to CACFP guidelines.

Smoking Policy

-Smoking is not allowed.

Before and After School Programs

-Special regulations are included with the general regulations.

-No provision for overlap time integrating before and after school children in the family day care homes; child/staff ratios must be maintained at all times.

Infant Care Programs

-Special regulations are included with the general regulations.

Programs for Children with Disabilities

-Special regulations are included with the general regulations.

Sick Child Care Programs

-Regulations applicable to sick child care are included with general standards.

Zoning Regulations

-All facilities must comply with local ordinances.

Available Resources

-CACFP and information on available funding.

Local Contact
-First contact should be with the state agency.

Pending/New Legislation
-Regulations are being revised to meet the deadline of the Child Care Development Block Grant.

NEW YORK

Information
Supplied By: JoAnn Friedell/Sara Blake
Department of Social Services
Bureau of Early Childhood Services
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FAX: (518) 474-9617

Number of Homes

-**9,243** family day care homes.
-**1,139** group family day care homes.
-No information provided about ratio of licensors to homes.

Provider Regulations

-**Family Day Care Homes:**
 -Registration required if caring for 3 - 6 children; no fee; registration is for one year the first time and every two years thereafter.
 -Social security number requested but not required.
 -No more than 2 children under the age of 2.
 -No more than 5 children if at least 1 child is under 2.
 -Two additional school aged children may be cared for following an on-site visit to determine provider's capability to serve additional children.
 -Liability insurance not required for either FDCH or GFDC.
 -Parents must have unlimited access to their children while in FDCH or GFDC.
 -Homes inspected on a 20% random sample basis annually.
 -Space Requirements: None for FDCH or GFDC.
-**Group Family Day Care Homes:**
 -Licensed; renewed every two years.
 -Social security number requested but not required.
 -Provisional licensed are not issued under any circumstances.
 -2 providers care for up to 10 children with no more than 4 under age 2, or up to 12 children if none is under age 2.
 -2 additional school aged children may be cared for before and after school hours, with dept. approval.
 -Homes inspected before license renewal.

Unannounced Inspection Procedure

-If there is a complaint for non-compliance, homes must be visited unannounced within 15 days; if there is a complaint of imminent danger, homes must be visited unannounced within 24 hours.

Complaint Procedure

-To file a complaint, call the statewide 800 child care complaint line or one of 7 regional offices of DSS BECS and provide information on the provider and the nature of the complaint. If the complaint is about suspected child abuse and neglect, individuals can call the 800 child care complaint line and be referred to the State Central Register of Child Abuse and Maltreatment or call the Register's own 800 number.

-The follow-up procedure depends on the nature of the complaint. All complaints are referred to the regional child care offices (or to the Dept. of Health in New York City) for investigation/follow-up. On-site visit if imminent danger (within one day) and/or if regulated provider (within 15 days). If complaint is only that provider is illegal, written notice of obligation to register (within 10 days). Subsequent follow-up depends on provider response.

-Consequences/penalties for violations depend on the nature of the violation; may include issuance of corrective action plan, temporary limitation/suspension, denial, revocation, suspension or limitation of registration/license and fines.

Provider Qualifications

-FDC provider must be at least 18 years old.

-Health statements and results of TB test required prior to issuing and renewing registration or license for provider and assistants.

-No other immunizations are required of provider or adult members.

-References required; screening through the state Central Register of Child Abuse and Maltreatment required.

-Providers must sign sworn statement indicating whether, to the best of their knowledge, they have never been convicted of a crime in New York State or any other jurisdiction.

Provider Training and Orientation

-Orientation is required.

-15 hours of training approved by DSS is required the first year and 15 hours every two years thereafter.

Discipline Policy

-Corporal punishment prohibited.

Emergency Medical Consent Policy

-Forms are required, but they do not have to be notarized.

Immunization Policy for Children

-Children, including the provider's own children, must be immunized; providers must maintain current records.

National Life Safety Fire Code Policy

-Not adopted.

Nutrition Policy

-NYS Department of Health will be state sponsor for USDA CACFP.

-Regulations require providers to provide plentiful and nutritious meals and snacks which meet the nutritional needs of the children, as per USDA.

Smoking Policy

-Smoking is prohibited in indoor areas and in vehicles while children are being transported.

Before and After School Programs

-No special regulations in FDC or GFDC.
-No provision for overlap time in FDC or GFDC.
-Separate regulations for school-age child care programs.

Infant Care Programs

-No special regulations.

Programs for Children with Disabilities

-No special regulations; general prohibition against refusing to admit a disabled child if he/she is eligible for admission, could benefit from participation and reasonable modifications can be made to accommodate the child.

Sick Child Care Programs

-Regulations currently being developed; based on national health and safety performance standards of APHA and AAP.

Zoning Regulations

-FDCH must comply with local ordinances as they apply to family residences in the community.
-GFDC must comply with local ordinances as they apply to family residences in the community. However, if a GFDC is located above the ground floor of a multi-family dwelling that is not fireproof, special zoning requirements apply.

Available Resources

-A Welcome Wagon Kit (FDC only, part of registration), which includes a Redleaf Press FDC starter kit, educational/ informational materials, available resources, local and national association information, etc; technical assistance from regional office staff; and training (most at no cost or at minimal cost).

Local Contact

-Individuals interested in becoming providers should contact the Bureau of Early Childhood Services regional office in their area; there are 7 regional offices across NYS. In New York City, contact the NYC Dept. of Health.

Pending/New Legislation

-None.

NORTH CAROLINA **

Information
Supplied By: Talitha Wright
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Raleigh, NC 27626-0553
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FAX: (919) 662-4569

Number of Homes

-**3,627** family day care homes.
-**223** large family day care homes.
-Licensor-Provider ratio: 1:145-165.

Provider Regulations

-Registration required for any person providing care for 3-5 preschool children; registered home may also care for 3 additional school aged children (maximum of 8 children at any one time including provider's own preschool children; no fees except for $4 initial charge to all new applicants requesting a registration packet.
-Registration is renewed every 2 years through reapplication and announced home visits by the child care consultant.
-FDCH are required to meet minimum health, safety, and sanitation regulations.
-Liability insurance not required.
-Social security number of provider is requested on the application for registration.
-Provisional licenses may be issued for no longer than 12 consecutive months. Operation must be making a reasonable effort to comply. Provisional could be issued for taking action to correct any violation.
-Special provisional licenses are issued in situations involving substantiated child abuse or child neglect.
-Any provider caring for 6 or more preschoolers must be licensed to operate a large day care home or center.
-Space requirements: None for small family day care homes. For large family day care homes - 25 sq. ft. per child inside, 75 sq. ft. per child outside.
-**Large Family Day Care Homes:**
 -Must be licensed; no fee.
 -Provider/child ratios in LFDCH:

All infants	1:5	2-12 years	1:10
0-4 years	1:5	3-12 years	1:12
0-12 years	1:5	School age	1:15
2-12 years	1:10		

 -Some extra children allowed in the two weeks before and after school begins and ends.

Unannounced Inspection Procedure

-FDCH inspected before initial registration, during announced renewal visits, some random drop-in visits and whenever a complaint is received.

Complaint Procedure

-The Child Care Consultant responsible for that area/home visits to investigate reports of illegal operation and general noncompliance. The investigation of abuse/neglect allegations is done by the Abuse/Neglect Unit.

-NC law requires operators to be given an opportunity to comply. If the situation is extremely hazardous, however, permit can be suspended or an injunction sought. Other penalties include: written warnings, written reprimands, probational status, civil penalties, revocation, denial.

Provider Qualifications

-FDCH provider must be 18 years old and literate.

-Providers must have biennial TB tests and health statements.

-No adult immunizations required.

-Providers can have no criminal records of child abuse nor any behaviors or habits that may be harmful to children (e.g., drug or alcohol abuse).

-LFDCH providers must be 21 years old and literate.

-LFDCH providers must have annual TB tests and health statements.

Provider Training and Orientation

-First Aid and Child CPR required.

-FDCH: Complete CPR training, but no certificate required.

-LFDCH: One year of experience as a caregiver in a day care home or center is required.

-LFDCH: All staff members must participate annually in up to 20 hours of training related to the care of children. The actual number of hours depends on the total number of previous approved training hours accumulated and educational experience.

-LFDCH: CPR Certification required.

Discipline Policy

-Corporal punishment, and other negative forms of discipline which are threatening, frightening, or otherwise unduly harsh are prohibited.

Emergency Medical Consent Policy

-Form is required; they must be notarized for small family day care homes, but not for large day care homes.

Immunization Policy for Children

-Children are required to be immunized by public health laws; providers are responsible for ensuring that children are fully immunized prior to enrollment and are kept current.

National Life Safety Fire Code Policy

-Not adopted.

Nutrition Policy

-NC Department of Public Instruction is state sponsor for USDA CACFP.

-State regulations require nutritious meals and snacks (not just a policy).

Smoking Policy

-Smoking is allowed in FDCH without restriction; however, it is not allowed in LFDCH at all.

Before and After School Programs

-A provider who cares for only school age children may care for 8 children.

-A provider may care for 2 school age children before and after school not to exceed an overlap period of two hours. However, these children can be cared for all day on school holidays and during the summer; generally overlap is not encouraged.

-State law exempts day care arrangements that operate less than 4 hours per day. If before and after school hours total less than 4, no regulation is required.

Infant Care Programs

-No separate regulations.

Programs for Children with Disabilities

-No separate regulations.

Sick Child Care Programs

-Large family day care homes must comply with provisions of rules related to serving children with infections or contagious diseases, if they opt to care for those mildly ill children.

-Other requirements for serving sick children are part of getting a waiver from the prohibition against sick children in day care.

Zoning Regulations

-Must comply with local ordinances.

Available Resources

-Information about CACFP and local associations, if they exist, are shared.

Local Contact

-Division of Facility Services, Child Day Care Section (919) 733-4801.

Pending/New Legislation

-A bill to require criminal history checks.

** Information not reverified.

NORTH DAKOTA

Information
Supplied By: Corinne Schock
Office of Human Services
State Capital Building
Bismarck, ND 58505
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FAX:: (701) 224-2359

Number of Homes

- **-1,057** licensed family day care homes.
- **-2,084** voluntary registered family day care homes.
- **-682** group family day care homes.
- -Licensor-provider ratio: varies.

Provider Regulations

- -License required for 6 or more children, or for 4 children under 24 months of age
- -No more than 7 children allowed in a FDCH plus 2 additional school age children before and after school.
- -Voluntary registration for 1-5 children; self-certification process; providers agree to maintain basic heath and safety standards.
- -Social security number of provider is not required.
- -Provisional licenses are not available.
- -License fee is $20 for two years; money is used to offset expense of day care licensing worker and day care provider training.
- -Parents must make pre-enrollment visit and have free access to home.
- -Substitute caregivers required; child abuse and neglect investigation is conducted.
- -Space requirements: 35 sq. ft. inside; 75 sq. ft. outside.
- **-Group Family Day Care Homes:**
  - -Must be licensed with annual renewal; fee is $25.
  - -8 - 18 children are allowed.
  - -Staff-child ratios:

-Staff-child ratios:	1:4--under 2	1:10-4 years
	1:5--2 years	1:12-5 years
	1:7--3 years	1:18-6 years and up

Unannounced Inspection Procedure

- -County social services office does inspections.
- -Homes inspected before licensing.

Complaint Procedure

- -To file a complaint, call the county agency.
- -When a complaint has been filed, there are several procedures depending on the nature of the complaint; correction order, revocation or injunction, fiscal sanctions.
- -Immediate consequence and long term penalty for violations is revocation.

Provider Qualifications
-Provider must be at least 18 years old.
-Providers required to have current immunization.
-Mentally, physically, and emotionally capable of providing care for children.
-No criminal records check but a Child Abuse and Neglect check required.

Provider Training and Orientation
-Education requirements vary for different levels of care.
-GDCH: Supervisor-CPR certification and 6 hours training/year and caregiver-up to six hours of training depending on percentage of their full-time job.
-CPR required for providers.

Discipline Policy
-Corporal punishment prohibited.
-Time out, diversion, separation from problem, talking with child about problem, praise for appropriate behavior, and gentle physical restraint are encouraged.

Emergency Medical Consent Policy
-Form is required, but it does not have to be notarized.

Immunization Policy for Children
-Children must be immunized; provider is responsible to maintain records current.

National Life Safety Fire Code Policy
-Local agencies adopt their own codes; NLSFC enforced in most of the state.

Nutrition Policy
-ND Department of Public Instruction is state sponsor for USDA CACFP.
-All children present at mealtime shall be served a nutritious meal, including food from each of the four basic food groups; adequate amounts of food shall be provided.

Smoking Policy
-Smoking is not permitted in an early childhood facility at any time during which a child who receives early childhood services from that facility is present and receiving services.

Before and After School Programs
-In the process of developing separate regulations.
-The overlap policy is that 2 extra school age children are allowed before and after school over license capacity.

Infant Care Programs
-No separate special regulations.
-Minimum requirements in GDCH.

Programs for Children with Disabilities
-No separate special regulations.

Sick Child Care Programs
-Regulated by Health Department. No state regulations. The only sick child care is provided in local hospitals as part of their service to the community.

Zoning Regulations
-FDCH and GDCH must comply with local ordinances.

Available Resources
-CACFP, information about local associations, Early Childhood Training Center, and CCR&R.

Local Contact
-County Social Services.

Pending/New Legislation
-New regulations being written for voluntary registered providers and may be in place by September 1994.
-New requirement that Child Abuse and Neglect check will be for all adult household members, not just provider.

OHIO

Information Supplied By:

Type B
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County Technical Support Section
BCCS - Department of Human Services
65 East State Street, 5th Floor
Columbus, OH 43215
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Type A
Pauline Hosenfeld, Chief
Child Care Licensing Section
BCCS - Department of Human Services
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Columbus, Ohio 43215
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FAX: (614) 466-0164

Number of Homes

- **7,010** Type B family day care homes.
- **41** Type A group day care homes.
- Licensor-provider ratio: no information available.

Provider Regulations

- Certification for FDCH (Type B) is required for homes that receive public funds and care for 1-6 children.
- Type B homes care for 1-6 children including related children under 6 years of age and no more than 3 may be under 2 years of age.
- Certification is valid for one year and is renewed based on county inspection findings.
- Social security number of provider is not required in either home.
- Provisional licenses are offered in both homes. Type A - provisional limited 60 days; type B - provisional limited 6 months.
- Space requirements: 35 sq. ft. indoors; 60 sq. ft. per child using space at a time outdoors.
- A new category of day care providers was added under Type B: Type B Family Day Care Home Limited Certification. This certification is issued to adult providers who provide day care for public funded children who are great grandchildren, grandchildren, nieces, nephews or siblings of the provider or the parent's children who are a grandchild, child, niece, or sibling of the provider. The homes are inspected once a year. Certification is valid for two years and there are no space requirements.

-Group Day Care Homes:
- -Known as Type A homes.
- -Licensing required for homes caring for 7-12 children including children related to licensee under the age of 6 and no more than 3 of whom may be under the age of 6 years or 4-12 children when more than 3 are under 2 years of age.
- -Initial fee of $50 for license and a $25 renewal fee; licenses must be renewed every 2 years.

Unannounced Inspection Procedure

-All homes inspected twice a year, at least one unannounced.

-When complaint has been filed, visits may be unannounced or announced; the investigation must begin within five working days of receipt of a complaint; if complaint alleges an immediate risk to children, the investigation shall begin within 24 hours of receipt of the complaint.

Complaint Procedure

-Complaints involving Type B FDCH are to be made to county departments of human services; complaints involving Type A homes are to be directed to ODHS district offices.

-If complaint alleges child abuse/neglect, county director shall immediately report it to public children services agency.

-Consequences: could ultimately lead to revocation of license or certificate.

Provider Qualifications

-Provider must be at least 18 years old.

-In Type A & B homes: provider must be immunized against measles mumps, rubella, tetanus and diphtheria; TB test also required.

-Type B providers are required to have 3 references; Type B limited, no references; and Type A, requires 3 references.

-Signed statement from provider and family members over 18 that they have no criminal record of acts involving children.

-Type B providers and adults in home and Type A home personnel must also satisfactorily complete a criminal records check.

Provider Training and Orientation

-Personnel in Type A homes must have a high school diploma and, unless educationally exempt, must complete 15 hours in-service training annually until 45 hours are completed. Each home must have one person who has completed first aid training.

-The administrator (director) of the Type A home must have a high school diploma, 2 years child care experience or college, and, unless educationally exempt, must complete 15 hours in-service training annually until 45 hours are completed.

-Personnel in Type B homes must complete 12 hours of in-service training during first year of certification and 6 hours annually until 30 hours are completed unless educationally exempt. In addition, each provider must complete a 6 hour Health and Safety in Family Day Care course during first year of certification.

-There are no training requirements for persons certified as Type B Family Day Care Home Limited Providers.

Discipline Policy
-Written discipline policy statement must be signed and approved by parents; spanking not permitted in certified Type B homes.
-Spanking is permitted, under certain restrictions, in licensed type A homes. Type A rules are being revised to eliminate corporal punishment.

Emergency Medical Consent Policy
-Form is required, but it does not have to be notarized.

Immunization Policy for Children
-Immunizations for children not required for Type B limited certification.
-Otherwise children are required to be immunized; CHDS shall ensure the child's immunizations are current.

National Life Safety Fire Code
-Not adopted.

Nutrition Policy
-OH Department of Education is state sponsor for USDA CACFP.
-Requirements follow USDA guidelines.

Smoking Policy
-Smoking is currently allowed without restriction in type B homes.
-Type A homes must ensure that home "has safe and sanitary conditions"; which includes protection from second hand smoke.
-Smoking has been proposed to be banned in Type B and Type A homes.

Before and After School Programs
-New rules for school child centers went into effect 4/1/92.

Infant Care Programs
-Type B homes and Type A homes rules have special provisions for care, feeding, and safety of infants.

Programs for Children with Disabilities
-No special regulations.
-Care of children with disabilities or health conditions must have a written plan for the care of that child which must be approved by the parent and provider.

Sick Child Care Programs
-Other than a cold and minor symptoms, isolate the child and observe. If more serious symptoms arise, call parents and send the child home.

Zoning Regulations
-Type B homes can operate in any neighborhood zoned residential.
-Type A homes may be excluded by zoning requirements; face same zoning requirements as centers.

Available Resources

-CACFP, Provider start-up its when requested (includes fire extinguishers, first aid kit), loan of equipment (cribs, playpens).

Local Contact

-For type B homes: County Department of Human Services.
-For type A homes: State Department of Human Services.

Pending/New Legislation

-SB 275 would ban smoking in Type A and Type B family day care homes.
-HB 575 would create a pilot project for certification of new category: Type C Homes. Type C homes would be able to care for more children before and after school than the Type B home.

OKLAHOMA

Information
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DHS Office of Child Care
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Oklahoma City, OK 73125
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FAX: (405) 528-4786

Number of Homes

-**3,444** family day care homes.

-Licensor-provider ratio: licensors carry mixed caseloads of center and home cases. The recommendation from a workload analysis was 1:60 cases, taking into consideration other responsibilities such as parent referrals and training.

Provider Regulations

-Licensing required; no fee.

-Licenses renewed every two years.

-Social security number of provider is required.

-One-year provisional licenses can be issued if the caregiver is unable to comply with requirements, usually for a physical structure improvement that is costly.

-Provider may care for:

a) maximum of 7 children (the number includes the provider's own children) under five years of age and not more than 2 children under age two when only one caregiver is present

b) maximum number of 6 children with 3 under age two present and one caregiver.

c) maximum number of 5 children with 4 or 5 under the age of two and one caregiver.

-Liability insurance required for transportation.

-Substitute caregiver required; does not have to be licensed, must be 18 years.

-Space requirements: 35 sq. ft. per child indoors; 75 sq. ft. outdoors.

-**Group Day Care Homes:**

-No separate classification.

-When 7 children are in care and more than 2 of those children are under age two, an assistant caregiver shall be present. Other combinations acceptable.

-All other regulations are the same.

Unannounced Inspection Procedure

-Inspections of homes occur initially and three times per year.

Complaint Procedure

-To file a complaint, contact either verbally or in writing a licensing representative--may be anonymous.

-An unannounced monitoring visit is made when a complaint has been filed; usually within one week or sooner if the allegation involves risk to children in care.
-Consequences: Immediate - non-compliance letter, plan of correction, follow-up visit; Long term: revocation of license.

Provider Qualifications
-FDC provider must be 18 years old.
-Initial TB test or chest X-ray required for all adults living in the home.
-No other adult immunizations required.
-Four written references required.
-Criminal record checks required for new providers after 4-29-93.

Provider Training and Orientation
-Providers must complete a minimum of ten hours training per year; also must complete training in disease and accident prevention, first aid techniques and use of a fire extinguisher within one year of application.

Discipline Policy
-Corporal punishment prohibited.

Emergency Medical Consent Policy
-Form required, but it does not have to be notarized.

Immunization Policy for Children
-Children must be immunized; provider must maintain health records including current immunization record; now also includes HIB (Haemophilus Influenza Bacteria, Type B).

National Life Safety Fire Code
-No policy.

Nutrition Policy
-OK Department of Education is state sponsor for USDA CACFP.
-Balanced meals providing 1/3 of daily nutritive requirements; mid-morning and mid-afternoon snacks; caregiver must provide food for all children able to eat regular food.

Smoking Policy
-Smoking and tobacco products are prohibited in areas where children are in care.

Before and After School Programs
-No separate regulations.
-Overlap time not allowed for integrating school children into a home caring for younger children.

Infant Child Care Programs
-Special regulations in areas of supervision, routine, bottle feeding, diaper changing, and toilet training.

Programs for Children with Disabilities

-No separate regulations.

Sick Child Care Programs

-Sick child is isolated and parents are notified; caregiver determines whether or not to provide care depending on the apparent degree of illness, other children present, and facilities available to care for the ill child.

Zoning Regulations

-FDCH must comply with local ordinances.

Available Resources

-Information on CACFP, sample menus, in local associations [if available]: videotapes, training opportunities, Good Health Handbook, equipment catalogs, handouts on home safety, carseats, daily activities, and behavior/ guidance.

Local Contact

-Department of Human Services.
-Licensing staff is headquartered in 38 of 77 county offices.

Pending/New Legislation

-None.

OREGON

Information
Supplied By: Karen Moffat, Manager
Child Care Licensing
875 Union St. NE
Salem, OR 97311
PHONE: (503) 378-3178
FAX: (503) 378-5417

Number of Homes

- **8636** (voluntary) family day care homes.
- **181** (mandatory) group day care homes.
- Licensor-provider ratio: no information available.

Provider Regulations

- Voluntary Registration and be renewed every 2 yrs via the mail; no fee.
- Social security number of provider is asked on the application, but shown as voluntary; required to receive payment.
- Provider may have maximum of 6 day care children with no more than 2, including provider's own children, under 2 years old. Provider may have up to 10 children under age 13 in the day care home only when 4 are either the provider's own children or are school age day care children.
- Liability insurance not required for FDCH or GDCH.
- Space requirements: 35 sq. ft. exclusive of bathrooms and hallways and any other space not used regularly by day care children.
- **Group Day Care Homes:**
  - 7-12 children with the following staff ratios:
    - 1:4 (4 infants and toddlers)
    - 1:4 (3 infants and toddlers/1 pre-school)
    - 1:6 (2 infants and toddlers/4 pre-school)
    - 1:6 (1 infant and toddler/5 pre-school)
    - 1:10 (10 pre-school or school age)
    - 1:12 (12, all school age)
  - Required to be certified; $5 annual fee.
  - Certified under rules specifically for this type of facility.

Unannounced Inspection Procedure

- No home inspections done on FDCH.
- Home inspection is made by CCD and local sanitarian.

Complaint Procedure

- To file a complaint, call local CCD or statewide 800 #; or call CCR&R's, who then call CCD.
- When a complaint has been filed, it may be by mail, telephone call or a visit, depending upon the nature of the complaint.
- Consequences: range from no consequences at all to corrective action plan to suspension.

Provider Qualifications

- Provider must be at least 18 years old.
- No adult immunizations required.
- No information about number of references required.
- Provider's records must show no convictions for crimes against persons, founded child abuse allegations, felony offenses involving controlled substances, nor any other offense bearing substantial relation to qualifications, functions of operator, or employee of day care facility.
- Criminal record checks of Oregon law enforcement data required for all adults in the registered or certified family day care homes, and all adults who are in a day care facility for a significant period of time when children are present.

Provider Training and Orientation

- At renewal, FDC providers must have completed 2 hours of training in recognizing and reporting child abuse.
- GDCH providers receive pre-certification consultation on an individual basis; no specific orientation; 15 clock hours per year of training is required.

Discipline Policy

- Corporal punishment prohibited.

Emergency Medical Consent Policy

- Form is required, but it does not need to be notarized.

Immunization Policy for Children

- Children are required to be immunized; provider is responsible for having a current immunization record.

National Life Safety Fire Code Policy

- Not adopted.

Nutrition Policy

- OR Department of Education is state sponsor for USDA CACFP.
- Providers must follow USDA guidelines.

Smoking Policy

- Smoking is allowed, but is advised against in training.

Before and After School Programs

- No special regulation.
- No policy regarding overlap time for integration of school age children into family day home servicing younger children.

Infant Care Programs

- No special regulations.

Programs for Children with Disabilities

- No special regulations.

Sick Child Care Programs

-Provider must keep records of:

a) emergency medical treatment form accepted by local medical facility (noted on form)
b) information and authorization form from parents or guardian
c) medication administered to the child while in the day care facility
d) accidents, injuries, and communicable diseases.

-Ill children not accepted unless all children are from one family.

-Children who become ill at the day care home are isolated until they are picked up by their parents.

-If illness is serious, notify physician named on form, or take the child to the medical facility named on form.

-Parents must be notified when medication is administrated on the day it is given, if permission to give medication was granted to to be needed.

-For prescription medication, written authorization from parents is required, for nonprescription medication, written instructions from parents is required.

Zoning Regulations

-FDCH and GDCH are considered residential uses of property for zoning purposes; no restrictions may be imposed on day care homes that are not also placed on other dwellings in residential or commercial zones.

Available Resources

-Food program, CCR&R, professional organization in several areas.

Local Contact

-Statewide Toll Free Number to Central Office, Child Care Division: 1-800-556-6616, Oregon only.

Pending/New Legislation

-New law requires registration without inspection of all families homes that care for more than 3 day care children from more than 1 family for more than 70 days a year.

PENNSYLVANIA

Information
Supplied By: Susan Miller
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Harrisburg, PA 17105
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Number of Homes

- **5,489** family day care homes.
- **525** group day care homes.
- Licensor-provider ratio: GDCH= 1:83, FDCH= 1:784.

Provider Regulations

-FDCH Homes:

- Registration required when caring for 4-6 unrelated children, no more than 2 of whom may be infants and no more than 5 may be a combination of infants and toddlers.
- Providers caring for fewer than 4 unrelated children are exempt from regulation.
- Certificates of registration valid for 2 years.
- Social security number of provider is requested on the Application for Registration Certificate.
- Provisional licenses are not issued under any circumstances; a family day care home provider self-certifies compliance with law and if an application for certification is incomplete or unsatisfactory, DPW can deny a certificate. The law also provides for revoking and refusing to renew a certificate.
- Space requirements: None inside or out.

-Group Day Care Homes:

- Licensing required; no fee for application; valid for no more than twelve months.
- Staff ratio varies according to ages and number of children present. No more than 12 children unrelated to the operator may simultaneously receive care.
- Space requirement: 40 sq. ft. per child indoor space. The allowable number of children in a space is determined by dividing the total square feet in a space by 40.
- Must carry liability insurance.

Unannounced Inspection Procedure

- Random inspection of 7-10% of registered homes conducted annually.
- Group Day Care Homes are inspected at least once every twelve months.
- When a complaint has been filed, regional licensing representatives investigate regulatory complaints through either an unannounced or announced facility visit.

Complaint Procedure

- To file a complaint, contact the regional day care office in writing or verbally.
- The provider is required to develop and implement an acceptable plan of correction for regulatory violations. The Department has the statutory laws for negative sanctions to initiate: downgrading the licensing status in GDCH, denying, revoking and not renewing a license or a registration certificate.

Provider Qualifications

- Providers must be at least 18 years old.
- FDCH provider must have medical exam every 2 years, or more frequently if Dept. of Public Welfare identifies health problem; GDCH provider initial health assessment and every year thereafter.
- There is no regulation requirement for biennial staff health appraisal to include a review of immunization status or assessment of need for vaccines. The examining physician is requested to provide information on medical problems which might threaten the health or safety of children or prohibit a staff person from providing adequate care to children.
- TB screening and/or chest x-ray required.
- No references required for FDCH; 2 required for GDCH.
- Child Abuse Registry clearances and state police clearances required.
- FBI background check is required for potential child care providers residing out of state.
- All family and group day care home primary staff must meet education and training or experience requirements.

Provider Training and Orientation

- 12 hours every two years required for FDCH.
- 6 hours annual training for GDCH providers.

Discipline Policy

- No form of physical punishment, including spanking, may be used; disciplinary methods shall not humiliate, shame, or frighten a child.

Emergency Medical Consent Policy

- Consent is required; but it does not have to be notarized.

Immunization Policy for Children

- Children must be immunized according to recommendations of the American Academy of Pediatrics; must also be in compliance with regulations of PA Dept. of Health regarding measles immunizations; dismissal policies must be implemented for non compliance with Department of Health measles immunizations requirement.

National Life Safety Fire Code Policy

- PA Dept. of Labor & Industry has adopted NLSFCP.
- DPW regulations require fire safety approval in family and group day care homes.

Nutrition Policy

-PA Department of Education is state sponsor for USDA CACFP.

-DPW supports the nutritional guidelines of the child care feeding program.

Smoking Policy

-Smoking is allowed; however, cigarettes, pipes or cigars may not be smoked in a child care space, a play space or a food preparation area when children are in care or when food is being prepared.

-Parents must be informed of the smoking policy in the facility.

Before and After School Programs

-The regulations for GDCH provide specific requirements for school age programs. FDCH regulations do not speak to school age.

-No regulations regarding overlap time; child/staff ratios must be maintained at all times.

Infant Care Programs

-Special regulations for infants are addressed within regulatory chapters; the regulations specific to infants include staff/child ratios, maximum group size, infant stimulation, meals for infants, play area and play surfaces.

Programs for Children with Disabilities

-Care of children with disabilities is regulated by separate chapters of regulations.

Sick Child Care Programs

-State does not have sick child care regulations; providers who offer sick child care comply with the appropriate regulatory chapters (GDCH and FDCH).

Zoning Regulations

-Local, township, and borough ordinances not addressed in current family or group day care regulations.

-Dept. of Public Welfare advises FDCH and GDCH to research the local ordinances.

Available Resources

-No information provided.

Local Contact

-Each regional Dept. of Public Welfare, Office of Children, Youth and Families has a toll-free phone number from anywhere in PA.

-Western Region:	1-800-222-2148
-Central Region:	1-800-222-2117
-Northeast Region:	1-800-222-2108
-Southeast Region:	1-800-346-2929

Pending/New Legislation

-None.

RHODE ISLAND

Information
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Division of Community Services
Day Care Licensing
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Providence, RI 02903
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FAX: (401) 277-4719

Number of Homes

-**649** family day care homes.
-**5** group day care homes.
-Licensor-provider ratio: 4:650 (also 260 centers); probably 8 licensors would be able to give optimum supervision.

Provider Regulations

-Providers certified at no cost; certification renewable every 2 years; undergo screenings, fire and health inspections and home visits for renewals.
-FDC providers may care for up to 6 children. If care is provided to child under 18 months of age, care for no more than 4 children under 6 years, no more than 2 of which can be under the age of 18 months.
-Providers may have up to 8 children if there is an approved assistant present; no more than 4 may be under 18 months old. RI considers these homes another category of FDCH, not a GDCH.
-Social security number of provider is not required.
-A provisional certification of license may be issued if a provider is temporarily out of compliance with a regulation, a plan for correction is filed and approved if the health and safety of the children in care are not in danger.
-Parents must have unlimited access to FDCH.
-Providers must have two substitute caregivers to call in case of emergency (these people do not have to be certified, but they are screened).
-Space requirements: 35 sq. ft. per child indoors.
-Group Day Care Homes:
 -Licensing is required and must be renewed annually.
 -Up to 12 children may be cared for in a Group Day Care Home.
 -Space requirements: 35 sq. ft. per child indoors; 75 sq. ft. per child outdoors.

Unannounced Inspection Procedure

-Homes are inspected before certification and at renewal.
-Allegation is assigned to a worker who makes an unannounced visit to investigate.

Complaint Procedure

-To file complaint, phone or write the day care licensing unit.

-Depending on the nature of the violation, provider might be given time period for correction or certification might be revoked or put on probationary status.

Provider Qualifications

-Provider must be at least 18 years old; must be 21 years old for group day care home.

-Physical exams required at certification and at renewal.

-TB is required for group day care home providers and assistants.

-No other adult immunizations are addressed.

-No information about number of references required.

-Statewide criminal check made on all adults in provider's home.

-Fingerprinting for nationwide FBI check required for provider and assistants; no cost.

Provider Training and Orientation

-Provider must have training and/or experience in caring for children under 6 years of age. 10 hours of training required every 2 years.

-In homes with 8 children, provider and assistant must have this training.

-Training will be required for large family day care providers. 8 hours of training required every year for provider and assistant(s) in group day care home.

Discipline Policy

-Corporal punishment prohibited.

Emergency Medical Consent Policy

-Form is required; but it does not have to be notarized.

Immunization Policy for Children

-Children are required to be immunized or in the process of being immunized according to the schedule at initial enrollment; provider is not required to do follow up.

National Life Safety Fire Code Policy

-Code has been adopted for family group day care homes -compliance with code is required for licensing.

Nutrition Policy

-RI Department of Education is state sponsor for USDA CACFP.

-Must insure that children receive nutritious meals and snacks.

Smoking Policy

-Smoking allowed; risk factors to children from second-hand smoke not addressed.

Before and After School Programs

-No special regulations; no policy on overlap time; child/staff ratios must be maintained at all times.

Infant Care Programs

-No special regulations.

Programs for Children with Disabilities

-No special regulations.

Sick Child Care Programs

-Sick child care is allowed in family day care homes. Regulations address the care of sick children.

Zoning Regulations

-Comprehensive statewide zoning bill went into effect 1/1/92. It includes a section on family day care homes that allows operation in residential areas.

Available Resources

-CACFP, Family Day Care Home Association, Statewide Referral Service, training opportunities, information on conferences.

Local Contact

-Division of Community Services, Dept. of Children, Youth, and Families.

Pending/New Legislation

-None.

SOUTH CAROLINA

Information
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Department of Social Services
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Number of Homes

-**112** licensed family day care homes.
-**1,481** registered family day care homes.
-**340** group day care homes.
-Licensor-provider ratio: no information available.

Provider Regulations

-FDC homes have option of being licensed or registered; if licensed, suggested standards become mandated; only those homes electing to participate in a federal program can be licensed.
-FDC providers may have maximum of 6 children including family members under 12.
-Registered on a yearly basis; application is submitted each year for renewal. Licensure will be completed on a two year basis if regular.
-Social security number of provider is required on the SLED Check form only.
-Provisional licenses are issued for a maximum of one year until all regulatory requirements are met.
-References, consumer parent statements, and SLED report required for registration.
-Registered FDCH not inspected unless a complaint is received.
-Space requirements: no requirement for registered FDCH. Licensed FDCH - 35 sq. ft. inside and 75 sq. ft. outside per child.
-Licensed FDCH are inspected prior to licensing and twice a year following.
-**Group Day Care Homes:**
 -Composed of 7-12 children including family members under 12; if there are 9 or more children present, or 4 are under the age of 2, an additional caregiver must be present.
 -Provider/child ratios: infants (up to 2 years old) - 1:7; 2 year olds - 1:11; 3 year olds - 1:14; 4 year olds - 1:19; 5 year olds - 1:23, and 6-12 year olds - 1:25.

Unannounced Inspection Procedure

-GDCH are inspected prior to licensing and twice a year following.
-Complaints investigated by an unannounced visit and follow-up monitoring.

Complaint Procedure

-To file a complaint, phone or write Department of Social Services.

-Consequence for violations include continued monitoring and possible closure.

Provider Qualifications

-Registered providers have no requirements; suggested standards are mandated for licensed providers.

-GDCH providers must be at least 21 years old; Caregivers must be 18 years of age but 14 year olds and above can be permitted as caregivers if properly supervised.

-Providers must complete medical statements when submitting applications; physical exam required only if medical problem is apparent for licensed GDCH providers/FDCH providers.

-No other adult immunizations required.

-Three written references from persons unrelated to provider required (GDCH) and (FDCH).

-GDCH providers must have high school diploma/GED/Child Development Associate Credential with at least one year's experience in a licensed/approved child day care facility as a caregiver.

-Criminal history checks are required for all licensed facilities.

Provider Training and Orientation

-Require CPR and basic first aid.

-No other training or orientation required.

Discipline Policy

-Corporal punishment permitted in licensed homes with written parental consent.

Emergency Medical Consent Policy

-Form is required, but it does not have to be notarized.

Immunization Policy for Children

-Children in registered family day care homes do not have to be immunized; however, children in licensed homes do have to be and provider is responsible for seeing that records are current.

-Now monitored by DHEC.

National Life Safety Fire Code Policy

-Not adopted.

Nutrition Policy

-No nutritional regulations.

-Sponsors USDA CACFP.

Smoking Policy

-No regulations pertaining to this.

Before and After School Programs

-If operated less than 4 hours a day, this home would not come under the law.

-No policy regarding overlap for integration of school age children into family or group day care home.

Infant Care Programs
-No special regulations.

Programs for Children with Disabilities
-No special regulations.

Sick Child Care Programs
-Regulations for GDCH same as day care centers.
-Regulations for licensed FDCH.

Zoning Regulations
-FDCH and GDCH must comply with local zoning regulations although zoning is not addressed in statutory or regulatory requirements.

Available Resources
-CACFP

Local Contact
-Area Day Care Licensing and Regulatory Office.

Pending/New Legislation
-New regulations for Group day care homes being formulated.

SOUTH DAKOTA

Information
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Child Care Services
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Number of Homes

- **-1,080** family day care homes.
- **-57** group family day care homes.
- -Licensor-provider ratio: 1:11.6 average for Licensed Group Family Day Care Homes, 1:170 average for Registered Family Day Care Homes. Workloads are uneven, and an assessment project will be implemented to determine optimum distribution and supervision work.

Provider Regulations

- -Registration required for providers receiving public funds.
- -Maximum number of children allowed: 12 with no more than four children under the age of two years unless assisted by registered helper.
- -Provider's children under six years of age must be counted.
- -Registration renewal occurs every 2 years.
- -Social security number of provider is not required on application form, but is requested on the permission for Central Registry form required for registration or licensure.
- -Provisional licenses available on a variable basis.
- -Space requirements: GDCH - 35 sq. ft. per child indoors, 50 sq. ft. per child outdoors.
- **-Group Family Day Care Homes:**
  - -Licensure required of all providers.
  - -May have 13-20 children.
  - -Staff ratios: 1:5 ages birth to 3 years.
    1:8 ages 3 years and above.
  - -Provider's children under age 6 must be counted.
  - -License is effective for 1 year.
  - -Health Department inspects before initial license and annually thereafter for fire, life safety and health compliance.

Unannounced Inspection Procedure

- -FDCH are visited prior to the issuance of the initial registration certificate. Inspections occur at least one time every two years after the initial registration.
- -GDCH: on-site licensing visits occur before initial license and annually thereafter.
- -Majority visits are unannounced, but some are announced.

Complaint Procedure

- To file a complaint, contact local DSS office of Child Care Services.
- In the event of a complaint, an investigation is completed and corrective action plan developed or registration is revoked if indicated; unannounced visits are made if complaint issues warrant.
- Consequences for violation include issuance of corrective action plan; if the children are in eminent danger, may be immediate suspension or revocation; may issue provisional registration or revoke registration.

Provider Qualifications

- Provider must be at least 18 years old for FDCH.
- Provider must be at least 21 years of age for GDCH, except that an individual who is at least 18 and has a child development technician diploma or a child development associate certificate may qualify for GDCH.
- Provider must be T.B. tested and have physical exam before beginning operation; household members must have T.B. tests, and children under 18 living in the home must be currently immunized.
- No information about other requirements for adult immunizations.
- 3 positive references.
- Applicants and all adult household members screened against the State's Central Registry of Child Abuse/Neglect before registration.

Provider Training and Orientation

- Orientation required, number of hours not specified.
- 6 hours of training every two years for renewal for FDC.
- 10 hours of training annually for license renewal for GDCH.

Discipline Policy

- Corporal punishment prohibited.

Emergency Medical Consent Policy

- Form is required, but it does not have to be notarized.

Immunization Policy for Children

- Children must be immunized; provider is responsible for seeing that immunization record is current.

National Life Safety Fire Code Policy

- Office of Fire Marshall implemented rules 1/92 for Group Family Day Care Homes which incorporate Uniform Building Code.

Nutrition Policy

- SD Department of Education is state sponsor for USDA CACFP.
- Serve foods from the basic four food group.
- Breakfast foods, consisting of fruit/vegetable, bread/cereal, and milk groups, may be substituted for mid-morning snacks.
- Serve nutritious mid-morning and mid-afternoon snacks when there are at least 2 hours between meal and snack.

Smoking Policy
-Registered Family Day Care providers are forbidden to smoke; smoking is now a law enforcement issue.
-In GDCH smoking is prohibited inside the building where children are present; smoking area must have source of natural or mechanical ventilation.

Before and After School Programs
-No special regulations; presently developing new regulations.
-May have two additional school age children in care before and after school in family day care homes.
-When school age children are present before, during, or after school hours, staff/child ratio may be increased to 1:10 to accommodate the school age children in group family day care homes.

Infant Care Programs
-No special regulations.

Programs for Children with Disabilities
-No special regulations.

Sick Child Care Programs
-Sick child is to be isolated and parents notified. All parents and Health Dept. must be notified if child contracts contagious disease.
-No special regulations.

Zoning Regulations
-Must comply with local ordinances.

Available Resources
-No information provided.

Local Contact
-State Department of Social Services.

Pending/New Legislation
-None.

TENNESSEE

Information
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Day Care Licensing Unit
Department of Human Services
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Number of Homes

- **770** licensed family day care homes.
- **429** licensed large family day care homes.
- **250** registered family day care homes.
- Licensor-provider ratio: for FDCH (5-7 children) - 1:1; 2 licensed categories of homes - 1:19 homes.

Provider Regulations

- Licensing required for homes caring for FDCH and LFDCH; fee for FDCH is $5 annually and for LFDCH, $10 annually, money goes to state general fund.
- Licenses renewed annually.
- Social security number of provider is required.
- Provisional ("conditional") licenses used for start-up, based on passing fire and health inspections, and caregiver's qualifications and references. Good for 90 days.
- Registration Certificate granted to caregivers who meet all registration rules; good for 3 years.
  - Demonstration Projects: have been conducting a voluntary FDC registration project (with Dependent Care Grant and later Child Care and Development Block Grant) since October 1990 in 34 of TN's 95 counties. Project to be continued for at least another year and expanded to three other areas.
- FDC providers may care for up to 7 children in addition to own; if more than 4 are under age 2, another caregiver required.
- Specific child/staff will be enforced in new standards to be implemented in the spring 1994.
- Liability insurance required only for transportation.
- Space requirements: 30 sq. ft. indoors for LFDCH; local ordinances sometimes specify space outdoors.
- **Large Family Day Care Homes:**
  - The provider/child ratios are as follows:
    - 3 caregivers required with 12-15 children, with no more than 10-12 under 3 years of age (if over 12 children are enrolled, the additional children shall be of school age and a school age program shall be provided).
    - 2 caregivers required with 12-15 children with no more than 1-9 under 3 years of age and with no more than 4 under 2 years of age (if over 12 children are enrolled, the additional

children shall be of school age and a school age program shall be provided.
-1 caregiver required with 12-15 children with none under 3 years of age.
-Also before 8 or more children are enrolled, the facility shall be approved by a fire safety inspector and by an environmentalist.
-In addition, if any child's physical or mental condition requires special care, if children under 9 years of age living in the home increases the group size, or when a field trip is taken off premises, the number of caregivers required shall be increased by one.

Unannounced Inspection Procedure
-Homes inspected prior to licensure and subsequent visits occur once a year (one of visits is unannounced); homes with violations inspected quarterly or as needed.
-Agencies in full compliance at least two years may be re-evaluated every other year, or if accredited, every 3 years. Agency must maintain compliance and receive no valid complaint reports and (because the law requires it) will receive one inspection visit and an annual license.

Complaint Procedure
-To file a complaint, call DHS and report to licensing staff.
-When a complaint has been filed, may hold until next site visit; will talk to director/owner, may interview collaterals to verify; visit may/may not be unannounced.
-Consequences: 1. Agency is "put on notice" and must submit plan for corrective action; 2. denial/revocation/suspension; 3. If upheld, must close for 60 days, 6 or 12 months based on number of times.

Provider Qualifications
-Provider must be 18 years old.
-Physical exam, including TB test, required prior to licensing and follow-up exam every 3 years.
-No other immunizations required of adults.
-Three written references required.
-No criminal records check or fingerprinting required.
-LFDC primary caregiver must have a high school diploma or equivalent.

Provider Training and Orientation
-FDC providers required to have 4 clock hours in-service training annually.
-LFDC providers (primary caregivers only) required to have 8 hours training in child care annually.
-Preservice "orientation" (provided by DHS) required to get license.

Discipline Policy
-Spanking with open hand on buttocks permitted with written parental permission.

-When new standards are finalized, spanking will be prohibited.

Emergency Medical Consent Policy
-Form is required, but does not have to be notarized.

Immunization Policy for Children
-Children are required to be immunized; provider must keep immunization records current.

National Life Safety Fire Code Policy
-Adopted.

Nutrition Policy
-Is state sponsor for USDA CACFP.

Smoking Policy
-Smoking is allowed; however, parents must be informed.
-Advisory Committee reasoned that "no smoking" rule could not be enforced; risk factors to children from second-hand smoke not addressed.

Before and After School Programs
-No special regulations.
-GDCH, and others with a helper, can overlap 45 minutes when integrating before and after school children into their day care home. This is not a rule, but an administrative policy.

Infant Care Programs
-No special regulations.

Programs for Children with Disabilities
-State is in compliance with Sec. 504 of Rehabilitation Act of 1973.

Sick Child Care Programs
-Incorporated with other licensure, standards are pending.

Zoning Regulations
-Day care homes must comply with local ordinances, but not enforced by licensing staff.

Available Resources
-Preservice and inservice training and technical assistance.

Local Contact
-Dept of Human Services.

Pending/New Legislation
-Significant numbers of changes in regulations expected in 1994.

TEXAS

Information
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Austin, TX 78714-9030
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Number of Homes

- **13,443** family day care homes.
- **1,233** group day care homes.
- Licensor-provider ratio: 1:80 (with family day care homes on a 30% annual inspection); 1:70 would be more optimal if 100% monitoring of family day care.

Provider Regulations

- Providers must pay an annual fee of $35 for registration of FDCH, all money goes to General Revenue Fund for the state; registration in effect until revoked or home voluntarily ceases providing care.
- Homes with 3 or fewer day care children are not required to register.
- Social security number of provider is required.
- Provisional licenses are not issued, but probation applies to registered and licensed facilities for providers who are not in compliance consistently; probation usually lasts for 6 months, but time may vary.
- Registered homes may care for 6 preschool children and an additional 6 elementary school age children, under 14 years of age, for a total of no more than 12 children including the caregiver's own children.
- Registered provider may care for up to 4 infants (defined as 18 months or younger); capacity for older children varies depending upon the ages of children and the number of infants.
- "Parents Guide to Registered Family Homes" must be given to parents.
- Space Requirements: none.
- **Group Day Care Homes:**
- Licensing required; annual fee of $47, all money goes to General Revenue Fund.
- Providers can care for up to 12 children under 14 years of age.
- With one provider, from 0-4 infants can be cared for with adjustments in the number of toddlers and school age children.
- With two providers, from 0-10 infants can be cared for with adjustments in the number of toddlers.
- Space Requirements: There must be at least 30 square feet of indoor activity space for each child.

Unannounced Inspection Procedure
-All homes inspected prior to registration; 30% sample per year thereafter.
-Unannounced inspections at least once per year for Group Day Care Homes.

Complaint Procedure
-To file a complaint, contact any licensing office.
-When a complaint has been made, visit usually is made and usually unannounced.
-Consequences range from call for correction to revocation.

Provider Qualifications
-Registered and licensed providers must be at least 21 years old.
-TB test required prior to registration for caregiver and all persons in the home over 14 years of age.
-No other adult immunizations required.
-No information about number of references required.
-Criminal record check and a child abuse registry check done prior to registration or licensing; no fee.

Provider Training and Orientation
-Registered providers in FDCH's must have 6 hours orientation prior to registration; 20 clock hours per year for all registrants.
-Licensed providers in GDCH's must have 20 clock hours of training per year.
-Registered providers must have current certificates of First Aid and CPR of infants and children.

Discipline Policy
-Corporal punishment prohibited for children under 5; may be used on child over 5 with parental consent. No instrument may be used in delivering punishment.

Emergency Medical Consent Policy
-Form is required, but it does not have to be notarized.

Immunization Policy for Children
-Children must be immunized; provider is responsible for complying with the requirement and therefore must pressure the parent to stay current.

National Life Safety Fire Code Policy
-Registered homes are not required to obtain fire inspection from local or state fire inspector.
-Licensed homes must obtain fire inspection from local or state fire inspector.

Nutrition Policy
-TX Department of Human Services is state sponsor for USDA CACFP.
-Standards require nutritious meals and snacks.

Smoking Policy
-Smoking is not allowed.

Before and After School Programs

-No special regulations.

-No policy regarding overlap; child/staff ratios must be maintained at all times.

Infant Care Programs

-No special regulations.

Programs for Children with Disabilities

-No special regulations.

Sick Child Care Programs

-Providers must notify parents if child becomes ill while in care and obtain emergency treatment when applicable.

-GDCH homes which are licensed are currently prohibited from caring for sick children unless approved in writing by health personnel. Registered standards do not prohibit care for sick children.

-State considers waivers/variances from licensed providers on prohibition for caring for sick children, and licensed provider usually receives waiver of the standard.

Zoning Regulations

-Local ordinance may limit the number of children in care.

Available Resources

-Standard orientation and associations may be in or near the community.

Local Contact

-TX Department of Protective and Regulatory Services.

Pending/New Legislation

-None

UTAH

Information
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Number of Homes

- **2,437** family day care homes.
- **217** group day care homes.
- Licensor-provider ratio: Ranges from lowest caseload of 1:80 to 1:258; average is 1:195. Hiring 3 new licensors; optimum ratio would be 1:100.

Provider Regulations

- Licensing required; $25 fee plus additional $1.50/child cared for must be paid; money is placed in general fund of the Dept. of Human Services.
- Exempt from licensing if caring for 3 children or less; includes provider's own children age six and not having completed kindergarten.
- Licenses renewed annually; fees paid annually with renewal.
- Substitutes are not required to be licensed.
- Social security number of provider is required.
- Provisional licenses are not issued under any circumstances.
- Provider/child ratio:
  a) infant only - 1 caregiver to 3 infants;
  b) regular license - 1 caregiver to 2 infants plus 4 children ages two and older; the caregivers own children who are not age 6 and have not completed kindergarten count
  c) school-age option - if all children are 2 and older, then 6 children plus 2 school-age children may be cared for. If one child is under age 2, then 6 children plus 1 school-age child may be cared for.
- In all situations the caregivers own children under age 6 and those who have not completed kindergarten count in the licensed number.
- Space requirements: FDCH are required to have 35 usable sq. ft. of space per child, free for child activities. 40 sq. ft. of usable outdoor play area per child is required. The caregiver may use other easily accessible outdoor areas if conveniently located.
- **Group Day Care Homes:**
  - 7-12 children may be cared for including provider's own children under age 6 and not having completed kindergarten.
  - Provider/child ratio is 1:6 and provider/infant ratio is 1:2.

Unannounced Inspection Procedure

-Homes inspected prior to licensing; department attempts to inspect homes twice a year thereafter.
-When a complaint has been filed, an unannounced visit is made.

Complaint Procedure

-To file a complaint, call licensor at the local DHS office.
-Parents are encouraged to call in complaints.
-Consequences: a Monitoring Review Form #810 is completed with a plan of corrective action if necessary. We can condition a license; suspension or revocation are long term penalties.

Provider Qualifications

-Provider must be 18 years old.
-Physical exams required upon entry of employment.
-TB is required, but other immunizations are encouraged.
-No requirement for other adult members in household to be immunized.
-Two written references required.
-Child abuse registry check required of potential providers, and at renewal.
-Bureau of Criminal Identification checks required on new provider licensing applicants and at renewal times. If the check shows any criminal activity, then fingerprints are required to be done.
-Child Abuse and BCI checks completed annually on all substitutes and household members 18 years and older.

Provider Training and Orientation

-2 hours training required for FDCH or GDCH providers before initial licensing.
-State required to offer 12 hours of training to each potential provider.
-Each provider required to attain 12 hours of approved training annually.
-CPR/First Aid course required within first year of licensing. This is to be kept current.

Discipline Policy

-Corporal punishment prohibited.

Emergency Medical Consent Policy

-Form is required, but it does not have to be notarized.

Immunization Policy for Children

-Children are required to be immunized; record of the child's immunizations shall be on file, updated as soon as possible or within 60 days.

National Life Safety Fire Code Policy

-Has not been adopted for family day care homes through the State Office of Licensing. Some local community fire departments are using the Life Safety Code as they check homes.

Nutrition Policy

-UT Office of Education is state sponsor for USDA CACFP.
-Providers must meet USDA nutrition requirements.

Smoking Policy

-Smoking is not allowed when day care children are present.

Before and After School Programs

-Standards allow for school age overlap if there is enough space. If there are no children under age 2 in care, two additional school age children may be there. If one child under age 2 is in care, only one extra schoolager can be in attendance.

Infant Care Programs

-No special regulations.

Programs for Children with Disabilities

-No special regulations

Sick Child Care Programs

-No sick child care facilities in the state that are regulated by the State. However, several hospitals provide sick child care to anyone in the community on a 24 hour basis as long as there are nurses and beds available for the care of the children.
-FDC standards state that if a child shows signs of illness after arrival, the provider shall contact the parent immediately, and it is the parents responsibility to pick up their child and provide continued care.

Zoning Regulations

-Day care homes must comply with local ordinances.

Available Resources

-A list of CACFP sponsors, provider associations, where to obtain tax information and resource and referral agencies.

Local Contact

-Family Day Care Licensing is initiated and completed at the local regional office. The local regional offices are under the umbrella of the Department of Human Services.

Pending/New Legislation

-None.

VERMONT

Information
Supplied By: Coleman Baker, Chief
Children's Day Care Licensing Unit
Division of Licensing and Regulation
103 S. Main Street
Waterbury, VT 05671-2401
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Number of Homes
- **1,700** (approximate) registered family day care homes.
- **20** licensed group day care homes.
- Licensor-provider ratio: 1:330.

Provider Regulations
- Registration for FDCH providers caring for children from more than 2 families.
- Registered providers operate small programs in their own homes;
- Registration renewed annually by notice from CDCU; licenses may be issued for up to 3 years.
- Social security number of provider is required but is not given to inquiring parents.
- Provisional licenses are issued and are nonrenewable for less than 12 months; provider must demonstrate a strong likelihood that compliance to all regulations will soon be met.
- Liability insurance required for all licensed providers.
- Opportunity for two parent/provider conferences per year for licensed providers, for one parent/provider conference per year for school age care programs.
- Parents have unlimited visitation of day care home without delay.
- Registered providers care for maximum of 6 children full-time plus additional 4 school-age children for not more than 4 hours per day on a before and/or after school basis, not including provider's children over two years of age; provider to infant ratio is 1:2 including provider's children under age 2 years old.
- When children are under age two, a 1:3 ratio is allowed in registration, providing no other preschool children in care. Also allows for 2:6.
- School age children may be in care for a full day when school is closed during school year, or during summer if second adult is on duty before the seventh child arrives, provider's own preschoolers count in summer for 12 option.
- Space requirements: Area must be "sufficient in size to permit children to move about freely" in registered homes. In licensed homes, 35 sq. ft. per child.
- **Group Homes/Day Care Centers For 12 Or Fewer:**
  - Licensing required, inspected prior to licensure and annually.
  - Provider/child ratio is 1:6 in a mixed-age group; provider/infant ratio is 1:2; with all 2 year olds, provider/child ratio is 1:5.

-Licensed providers care for children in their home or at another site.

Unannounced Inspection Procedure

-Inspections during licensing and twice annually thereafter.

-When a complaint has been filed, an unannounced follow-up to all serious concerns reported; telephone and mail follow-up for less serious complaints.

Complaint Procedure

-To file a complaint, call 1-800-540-7942.

-Consequences: If substantiated, the report of non-compliance will be in provider's record and will be reported to inquiring parents.

Provider Qualifications

-Providers must be at least 18 years old, be able to read, and not have a report of abuse substantiated against them or anyone else residing in the home.

-Adult immunizations required: Polio, DPT, MMR, HIB. TB is not required.

-Three written references from non-related persons required for provider. Three references gained over telephone for assistants required in licensed facilities.

-No provider nor anyone living in the home can have been convicted of child cruelty or a felony involving a violent act.

-Child abuse registry check and criminal record check required of licensees, staff in licensed facilities, registrants, and persons over 16 years of age residing in FDCH's.

-A person responsible for developing and implementing the program in a facility of twelve or fewer children shall have one of the following qualifications:

a) Child Development Associate (CDA), or
b) Associates Degree in Early Childhood, or Human/Child Development (includes Pediatric Nursing), or
c) Two years of successful experience working with groups of children and at least one successfully completed higher education course in early childhood related topics (to be completed within 9 months), or
d) Certified Child Care Professional Early Childhood Education Specialist, or
e) Certified in Child Care from VT Community College or Vo-Tech Program.

Provider Training and Orientation

-6 hours of training per year plus initial orientation required for all registered providers, or...

-6 hours of training per year required for licensed program staff; training is required in infant/child CPR within first year of registration, training is encouraged in first aid, and child abuse identification/prevention/reporting; 9 hours of training per year for directors or head teachers in licensed group homes.

Discipline Policy

-Corporal punishment prohibited.

Emergency Medical Consent Policy

- Form is required, but it does not have to be notarized.

Immunization Policy for Children

- Children are required to be immunized; provider is responsible for assuring that immunizations are age appropriate and up to date.

National Life Safety Fire Code Policy

- Not adopted for registered home; modified NFPA and BOCA for licensed homes.

Nutrition Policy

- VT Department of Education is state sponsor for USDA CACFP.
- Meals and snacks shall be adequate, nutritious, clean and free from spoilage; emphasis shall be on foods that are unprocessed, low in salt and sugar.

Smoking Policy

- Smoking is allowed in registered homes, but prohibited in the presence of children.
- Smoking is prohibited "on the premises" in licensed group homes.

Before and After School Programs

- Registered providers can care for 10 school age if all are school age and at least 4 attend for less than 4 hours.
- No overlap time allowed; appropriate child/staff ratio must be maintained.

Infant Care Programs

- Infants shall be allowed to nap when tired.
- Napping infants must be monitored by in person checks at least every 15 minutes.
- Infants and toddlers shall be protected from the harmful acts of older children.
- Infants and toddlers shall have ample opportunities in a safe area for creeping, rolling, and walking.
- When infant equipment used for supervised play, usage shall not exceed 1/2 hour per 3 hours.
- Spaces between the upright slats in cribs shall not exceed 2 3/8 inches.
- Rocking chair(s) or other comfortable adult-sized seating(s) shall be provided in each of the infant and toddler areas.
- Toys for infants and toddlers shall be large enough to prevent swallowing or choking.
- Special regulations for food preparations for infants.

Programs for Children with Disabilities

- Program modifications and emergency procedures related to enrolled children with disabilities shall be developed and followed.

Sick Child Care Programs

- Not permitted in licensed settings.

Zoning Regulations
-FDCH for six children or fewer exempt from zoning laws.
-GDCH must comply with local ordinances.

Available Resources
-Orientation and soon to come - a reference manual.

Local Contact
-State office of the Children's Day Care Unit, Division of Licensing and Regulation, 103 S. Main St., Waterbury, VT 05671-2401 [1-802-241-2158], or any Resource or Referral organization.

Pending/New Legislation
-None.

VIRGINIA

Information
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Division of Licensing Program
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Number of Homes

- **1,061** voluntarily registered family day homes.
- **652** licensed large family day homes.
- **587** family day homes approved through 5 licensed systems.
- **2,367** city/county regulated (providers/parents receive federal assistance).
- Licensor-provider ratio: 1:100 as an optimum ratio for supervision of homes; this ratio would be impacted by the revised licensing and standards and the introduction of extended licensure (2-3 year licenses).

Provider Regulations

- "Family day home" means a child day program offered in the residence of the provider or the home of any of the children in care for 1 through 12 children under the age of 13, exclusive of the provider's own children and any children who reside in the home, when at least one child receives care for compensation.
- Voluntary Registration:
  - Until July 1, 1996 FDH's caring for fewer than 9 children.
  - Certificate of registration renewed every 2 years; $50 fee.
  - Social security of provider required for voluntary registration.
  - This program is targeted to the family day homes which are not required to be state licensed; program is **not available** where city/county government regulates family day homes.
  - Provider ratio - the adult to child ratios for voluntary registration is the same as those for licensed day homes.
  - Space requirements: none.
  - Must meet health and safety checklist requirements. This is confirmed by a home visit conducted by the contracting agency.
- Licensing [**large or group day homes**]:
  - Family day homes serving 9 through 12 children exclusive of the provider's own children and any children who reside in the home, shall be licensed.
  - Provisional licenses are issued for up to 6 months; this is issued when a licensee is unable to comply with the standards.
  - Licenses renewed annually; $14 licensing fee, every two years - $28, or every three years - $42 licensing fee.
  - In determining the need for an assistant, the following fixed adult to child ratios shall be maintained for children receiving care (this includes the provider's own and resident children under 8 years of age):

a)1:4 children from birth through 15 months of age;
b)1:5 children from 16 months through 23 months of age;
c)1:8 children from 2 through 4 years of age;
d)1:16 children from 5 years through 9 years of age; children 10 years of age and older shall not count in determining the adult-child ratio.

-In mixed age groups, the provider shall apply the following point system in determining the need for an assistant. Each adult caregiver shall not exceed 16 points. The provider's own and resident children under 8 years count in the point maximums:
a)children from birth through 15 months: 4 points each;
b)children from 16 months through 23 months: 3 points each;
c)children from 2 years through 4 years of age: 2 points each;
d)children from 5 years through 9 years of age: 1 point each;
e)children 10 years of age and older:0 points.

Exception: - point maximums for mixed age groups or fixed adult to child ratios may be exceeded in one age group by no more than 1 child for up to 1 month from the date of the child's enrollment during transitional periods when there is turnover in children receiving care and when the ages of a child leaving and a child entering care do not match.

-Family day homes shall comply with any limitations which may be placed by the Uniform Statewide Building Code on the number of children for whom care may be offered.

-Parents must provide a signed authorization to use a substitute provider as necessary.

-Liability insurance is not required.

-An operable fire extinguisher shall be near the kitchen; smoke detectors are required on every floor of the home; monthly testing required; written, posted and practiced emergency plan required.

-Space requirement: each child shall have an adequate amount to allow free movement and active play indoors and outdoors.

-Other Regulating Entities:

-City/County Registered or Certified: some cities or counties have their own regulations -- most mandatory, one volunteer.

-System Approved: The State licenses family day systems to approve family day homes which are part of those systems.

Unannounced Inspection Procedure

-Family day homes inspected prior to issuance of license and twice a year thereafter; one of these visits is unannounced.

-Due to limited resources, the Department is not able to monitor homes daily; rely on education and training and the integrity of the providers to maintain compliance.

-A 10% random sample of homes that are not participating in USDA CACFP are monitored every two years by voluntary registration contracting agencies.

-In addition, a 25% random sample of all registered homes are monitored by the Virginia Department of Social Services.

-If complaint is received, an investigation is conducted; nature of the complaint determines whether a home visit is conducted.

Complaint Procedure

- Complaints may be made by calling the regional licensing offices or the Licensing Information Line (1-800-KIDS-LIL); the Department is mandated to investigate all complaints on licensed homes.
- Consequences for violations may include corrective action, sanctions, revocation of license, or injunction.

Provider Qualifications

- Family Day Home Providers
  - Must be at least 18 years old.
  - An assistant must be at least 14 years old and helps the family day home provider; assistant under 18 years cannot be left alone with the children.
  - All must be able to understand and carry out the responsibilities of the requirements.
  - Caregivers (the provider, substitute provider or assistants) must be able to speak, read, and write in English as necessary to meet the requirements of the regulations. See Pending/New Legislation.
  - Providers shall be able to provide activities and experiences daily that reflect the cultural and ethnic diversity of enrolled children and enhance the total development of children; show a clear understanding of the varying capabilities, interests, needs and problems of children in care; prove the ability to relate to children with courtesy, respect, patience, and affection, and understand and respect the families of the children in care.
  - Providers must also be able to understand instructions on prescription and nonprescription medicines, handle emergencies with dependability and sound judgement, and communicate effectively with emergency personnel.
  - TB skin tests required for provider and any assistants and substitutes, and for any adults (18 years & older) living in the home who will be in contact with the children or handle food served to children within 90 days of licensure or contact with children [proposed for 9/94: "or within 5 working days after]; individual must submit a statement signed and dated by physician or local health department stating he/she is free of tuberculosis in a communicable form.
  - If individual has a positive reaction, but physician certified an absence of communicable disease, individual shall obtain check x-rays on an annual basis for the following two years and additional screening is required every two years thereafter.
  - If individual has a negative reaction, additional screening required every two years thereafter.
  - Any individual who comes into contact with a known case of TB or develops chronic respiratory symptoms shall, within 30 days of exposure or development, obtain a TB exam and submit a statement signed and dated by a physician or local health department official stating he/she is free of TB in a communicable form.
  - No other immunizations for adults are required.
  - Medical examinations may be required at the request of the provider or the DSS when there is an indication that the safety

of children in care may be in jeopardy by the physical or mental health of the individual; appropriate action may be taken if jeopardy is substantiated.
- Three references required for licensed providers.
- Criminal records checks are required of providers, assistants, substitutes and any adults living in the home not more than 90 days before the date of the initial application; no person convicted of a crime involving child abuse, child neglect, or any other specified in section 63.1-198.1 of the Code of Virginia shall be a caregiver.
- Child Protective Services Central Registry - All members of the family day household 14 years and older including relatives, lodgers, caregivers, and employees shall not be listed in the CPS Central Registry and shall have a CPS Central Registry clearance conducted no more than 90 days before date of initial application.
- Substitutes must be 18 years old and meet the same requirements as family day home providers; also must be approved by DSS.
- Voluntarily registered providers must complete/sign Health and Safety Checklist; also requires criminal record checks and CPS Central Registry clearances for caregivers and household members; same as those for licensed homes.
- Local government or state licensed systems may have additional qualifications.

Provider Training and Orientation

- Voluntary registered providers:
  - Increases access to training and to information about training through the contract agency or the DSS.
- Licensed providers:
  - Training is offered by the Department, from application fees collected. Licensed provider must attend at least 6 hours of training a year; written documentation of annual training shall be maintained on file in the family day homes.
  - Shall obtain first aid certification within 6 months of licensure and maintain a current certificate from ARC, AHA, or National Safety Council for First Aid Training Institute; exception provider who is RN or LPN with a current license from Board of Nursing does not have to obtain.
- Other Regulating Entities:
  - As specified by the local government regulating body or state licensed system.

Discipline Policy

- Licensed Homes:
- Children in care shall not be shaken or bounced vigorously at any time; NOT ALLOWED: hitting, spanking, beating, shaking, pinching, or other measures that produce physical pain; forcing, withdrawing or threatening to force or withdraw food, rest or bathroom opportunities; abusive and profane language; any form of public or private humiliation, including threats of physical punishment and any form of emotional abuse, including rejecting, terrorizing, ignoring, or corrupting a child.
- Children shall not be physically restrained except for safety.

-If time-out is used as a means of discipline, it shall be used sparingly and be brief and appropriate to the child's developmental level and circumstances. A child shall not be left alone inside or outside of the home while separated from the group. Time-out shall not exceed one minute for each year of the child's age and shall not be used at all for infants.
-No child shall be confined in a space that the child cannot open such as closets, locked rooms, etc.
-Children cannot be punished for toileting accidents.
-Voluntary Registration restricts the use of physical (corporal) punishment and emotional abuse in the family care home.

Emergency Medical Consent Policy
-Form is required, but it does not have to be notarized.

Immunization Policy for Children
-Children are required to have a medical examination and be immunized prior to enrollment or within 30 days after enrollment, as follows:
a)within 60 days prior to enrollment for children 6 months or younger
b)within 90 days prior to enrollment for children 7-18 months
c)within 6 months prior to enrollment for children 19-24 months
d)within 12 months prior to enrollment for children 2-5 years
e)within 24 months for children 6 years old and above
-A child may delay or be exempt from immunizations for religious or medical reasons.

National Life Safety Fire Code
-Not adopted.

Nutrition Policy
-VA does not have a state sponsor for USDA CACFP; supervision is directly from the regional USDA office.
-Nutrition requirements for licensed homes meet USDA guidelines.

Smoking Policy
-Licensed homes - a smoke-free environment must be provided in rooms accessible to children while children are in care.
-Policy is the same on health/safety checklist for voluntary registration.

Before and After School Programs
-No separate regulations.
-No policy regarding overlap time.

Infant Care Programs
-Infant is defined as a child from birth through 15 months.
-No separate regulations; included in general regulations.

Programs for Children with Disabilities
-No separate regulations; facilities must comply with the guidelines of the Americans with Disabilities Act.

-Staffing for a child with disabilities - the provider and parent of a child with special needs mutually determine a recommendation for the level of staffing necessary to care for the child in care. The provider shall consult with the Community Services Board worker or the local department of social services worker to review the recommendation if subsidized care is provided. The provider reports this recommendation to the licensing specialist on a form provided by the Department. The specialist considers the recommendation and makes a final determination of the level of staffing required to protect all children in care. The staffing recommendation is reviewed annually by all involved parties.

Sick Child Care Programs

-A child shall be excluded from a family day home if the child has evidence of an oral body temperature of 101 degrees F or greater, recurrent vomiting or diarrhea, or symptoms of a communicable disease as delineated in the current Communicable Disease Chart.

-Other rules included in general regulations.

Zoning Regulations

-As of January 1, 1995 a family day home with no more than 5 children, excluding any children who reside in the home, will be considered residential use of property; localities must permit family child care for up to 5 children in all homes, including townhomes, apartments and trailer homes. Localities can choose to grant zoning approval for providers to care for more than 5 children, but are not required to do so. Five local jurisdictions are exempt from this law: Alexandria City, Arlington County, Fairfax County, Fairfax City and Falls Church City.

-Statewide Building Code Office of the Department of Housing and Community Development proposed a regulation that would require family day homes to have an outside exit from all floors which are used for child care. A compromise measure was adopted--only licensed day homes caring for 10 -12 children will be required to have a full-sized outside exit from every floor used for child care. Further review is anticipated.

Available Resources

-Child care media resource libraries, training sessions, quarterly newsletter, information about food programs, and information about state and local family day care associations.

Local Contact

-The Division of Licensing Programs, Virginia Dept. of Social Services Regional Licensing Offices: Abingdon, Fairfax, Newport News, Richmond, Roanoke, Verona, Virginia Beach, and Warrenton.

Pending/New Legislation

-The Division of Licensing Programs is in the process of amending the regulation for licensed family day homes. The revised regulation is expected to become effective September, 1994.

-Addition proposed to become effective September 1994: At least one caregiver must be present in the family day home at all times who is able to speak, read,and write in English as necessary to meet the requirements of the regulation. [All caregivers will not be required to be able to speak, read and write in English.]
-Changes proposed to become effective September 1994: Substitute providers do not have to be approved by DSS if they meet the qualifications for providers.
-Effective July 1, 1996:
-FDH's serving 6-12 children, exclusive of the provider's own children & any children who reside in the home, shall be licensed.
-FDH's caring for fewer than 6 children can be voluntarily registered.

WASHINGTON

Information
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Number of Homes

-**8,460** actively licensed family day care homes.
-Licensor-provider ratio: 1:200; optimum ratio is 1:150.

Provider Regulations

-Licenses required; fee is $24 annually; licenses renewed at 3 year intervals.
-Social security number of provider is required.
-Provisional licenses are not issued under any circumstances.
-Providers may care for up to 12 children with a qualified assistant; provider with 1 year of experience may care for 10 children alone if none are under 5 years of age.
-Provider with 2 years of experience, an ECE course, and an assistant, may care for a maximum of 4 children under 2 years of age.
-May have up to 12 children including provider's own children.
-Must be 2 providers when: there are more than 2 children under age of 2; 7 or more children are in care and any child is under age 2; or more than 10 children of any age.
-Liability insurance required for transportation only.
-Substitute caregiver and backup are required.
-Developmentally appropriate activities and routines are required.
-Space requirements: Adequate space for child play shall be available both indoors and outdoors. There shall be a minimum of 35 sq. ft. per child of indoor play area available.
-No separate classification for large or group day care homes.

Unannounced Inspection Procedure

-Homes inspected prior to licensing and are only revisited in response to a complaint or for licensing renewal.
-Licensors are responsible for inspections of all FDC homes.

Complaint Procedure

-To file a complaint, a telephone call is sufficient, either to general intake or to a licensor.
-If child abuse or neglect is alleged, CPS coordinates an investigation and enlists/informs licensing. Other types of complaints require an on-site inspection, usually unannounced.
-Providers cited for non-compliance; can be and usually are put on "no referral" status through the R&R; valid complaints can be

disclosed if the general public inquires; in extreme cases, action can be/is taken to suspend or revoke the license.

Provider Qualifications
- -Provider must be at least 18 years old.
- -A Mantoux method TB test is required for each licensee, assistant, volunteer, and adult member of the household having regular contact with child in care.
- -No other immunizations for provider or other adults are required.
- -Three references are required.
- -Criminal history background check done on applicant, assistant, volunteer, or member of household 16 years or older.

Provider Training and Orientation
- -Providers are required to attend 5 hours of orientation.
- -Providers must have one course in early childhood education and two years experience in child care in order to care for 12 children.
- -First aid, CPR, and HIV/AIDS training required for all providers.
- -Guidebook provided for each family child care provider. The book explains the regulations and offers developmentally appropriate suggestions and resources.

Discipline Policy
- -Corporal punishment prohibited.

Emergency Medical Consent Policy
- -Form is required, but it does not have to be notarized according to state law.

Immunization Policy for Children
- -Children are required to be immunized and it is the responsibility of the provider to see that records are current. Parent must complete an immunization form proving the child has all required immunizations. If the child lacks the proper documents, the parent must obtain them as quickly as possible or sign an exemption.

National Life Safety Fire Code Policy
- -Smoke detectors required in all sleeping or napping areas and on each story; exit windows 5.7 sq. ft.;and fire extinguishers on all stories used for care.

Nutrition Policy
- -WA Superintendent of Public Instruction is state sponsor for USDA CACFP.
- -Meals and snacks shall comply with USDA meal patterns, plus Vitamin C serving daily, Vitamin A foods 3 times per week; whole milk only from birth to 24 mos. old.
- -A child in care for 10 hours or less: 2 snacks & 1 meal or 2 meals & 1 snack.
- -A child in care for 10 hours or more: 2 or more meals & 2 snacks or 1 meal & 3 snacks.
- -An after school child: a snack.

-Evening care: dinner (if child hasn't eaten), a bedtime snack and breakfast (for nighttime care).
-If child brings food from home, the licensee must monitor, store safely, and supplement the food if found to be inadequate (conforms to USDA meals pattern).
-A modified diet - allergy, etc. - only with health care providers permission.
-Only pasteurized milk.

Smoking Policy
-Smoking is not allowed; regulations prohibit smoking in all areas of the home used by the child during hours of operation of child care and in the motor vehicle used by the licensee or assistant to transport the child.

Before and After School Programs
-No special regulations.
-No policy on overlap of school age with other children in family day care home.

Infant Care Programs
-Regulations focus on diaper-changing, toilet training, feeding, sleeping equipment, and activities and equipment which are developmentally appropriate.

Programs for Children with Disabilities
-No special regulations.

Sick Child Care Programs
-The licensee shall daily observe the child for signs of illness. The licensee shall care for or discharge home the ill child based on the homes policies concerning an ill child.

Zoning Regulations
-Cities may not impose on FCCH conditions more restrictive than those imposed on other residential dwellings in the same zone.

Available Resources
-A guidebook; a host of handouts and forms; referrals to USDA food programs; CCR&R; family child care associations; training through R&R (state funded replication of Mervyn's Family-to-Family Training in Spokane, Everett, Olympia); links to WAEYC local chapters.

Local Contact
-All child care licensors now work in Office of Child Care Policy. Regional managers are located in the six regions of the state.

Pending/New Legislation
-Legislation is currently pending regarding regulations and application of uniform, standard zoning for FDC providers residing in counties.

WEST VIRGINIA

Information
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Number of Homes

- **6,000** family day care homes.
- No information available on licensor-provider ratio.

Provider Regulations

- Registration required for FDC providers receiving federal funds or caring for 4-6 unrelated children by the State Department of Health and Human Resources; providers caring for 1-3 children are legally exempt from regulation; no fee for registration.
- Providers may care for up to 6 children, including provider's own children whether related by blood, marriage or adoption, who live in the home, and are under age of 6.
- No more than 2 under age 24 months allowed at any time.
- No information available about requirement for social security number.
- Five percent of registered homes inspected annually. All Block Grant homes are monitored annually.
- Custodial parents shall have access to family day care home at any time.
- Home shall have indoor and outdoor play space that is free of unsanitary or hazardous items; each child shall have a comfortable and clean place to sleep.
- Provisional registration certificates are not available.
- **No provision for Group Day Care Homes.**

Unannounced Inspection Procedure

- No information available.

Complaint Procedure

- Suspected child abuse or neglect shall be reported to the Department of Health and Human Resources, as mandated by West Virginia Public Human Service Law.

Provider Qualifications

- FDC provider must be at least 18 years old.
- Initial physical exam required and upon renewal; medical exam shall establish that the caregiver is physically and mentally able to care for children and is free from communicable diseases.
- TB screening required.

-Criminal records check and thumbprinting done on providers and their families; fee is $5/person and DHHR pays fee. Providers sign record of criminal background statement when registering state that caregiver and all household members shall use no alcoholic beverages or illegal substances when children are in care; have no substantiated history of child abuse or neglect; have no criminal convictions involving bodily harm, sexual offenses, or driving under the influence. Caregivers agree to notify the regulatory agency within 3 days if the provider or another household member is indicted or charged with any offense.
-Provider must be able to read and write, or have an assistant or family member available at all time and is able to read and write.
-Substitutes must be 18 years old; parents shall be informed when a substitute is to be used.

Provider Training and Orientation

-Caregivers shall attend health and/or safety training at least twice annually and shall maintain written records of attendance at such training.

Discipline Policy

-A caregiver shall not subject a child to any of the following: humiliating, shaming or frightening treatment; loud, profane or abusive language; derogatory remarks about the child or the child's family; any type of physical discipline, including spanking, hitting, kicking, biting or shaking, nor any form of discipline which would be considered abuse or neglect; deprivation of food, sleep or toilet access; withholding emotional response; confining a child in a closet or a box or use of any physical restraints to confine a child.
-Napping, toilet training or eating shall not be associated with discipline.
-Methods of guidance and discipline used by a caregiver shall be positive and consistent with age of the child. A caregiver and parents shall discuss and agree upon positive methods of discipline.

Emergency Medical Consent Policy

-Form is required; but it does not have to be notarized.

Immunization Policy for Children

-Caregiver shall maintain a record of each child's health examinations and immunizations, as follows: each child 6 years of age and under shall have a general medical examination within 6 months prior to admission or within 1 month of admission to the home; and immunization records shall be updated as needed, according to the child's age.

Smoking Policy

-Smoking is allowed.

National Life Safety Fire Code Policy

-Not adopted; must meet WV fire and environmental safety guidelines as defined in family day care home checklist.

-A working smoke detector must be installed on each level of the family day care home.
-A fire extinguisher and a working flashlight must be available.

Nutrition Policy
-Caregiver shall ensure that children receive nutritious meals and snacks served in a sanitary manner and in amounts adequate to meet their nutritional needs.

Before and After School Programs
-No separate regulations.
-No policy concerning overlap time for school age children when integrating into the family day care home daily; issue under investigation.

Infant Care Programs
-No separate regulations.
-A caregiver shall hold an infant 9 months of age and younger while feeding him/her a bottle; bottles are not propped.

Programs for Children with Disabilities
-No separate regulations.

Sick Child Care Programs
-No special regulations.

Available Resources
-No information available.

Zoning Regulations
-FDCH must comply with local ordinances.

Local Contact
-Local Dept. of Health and Human Resources.

Pending/New Legislation
-Group day care regulations under development.

WISCONSIN

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Number of Homes

- **2,325** licensed family day care homes.
- **3,500** (estimated) certified family day care homes.
- Licensor-provider ratio: not able to determine ratio since most licensing specialists carry a mixed generic caseload of licensing responsibility.

Provider Regulations

- Licensing required for homes with 4 or more children under age 7.
- Licenses are $50 and renewed every 2 years after licensing review. The money is used to fund licensing staff positions.
- Certification required for FDCH that have fewer than 4 children under age 7 and that receive certain public funds for day care services.
- Social security number of provider is not required by administrative rules.
- If 3 or 4 children under the age of 2 are in care, the number of other children in care is reduced.
- Liability insurance not required.
- Space requirements: For licensing- 35 sq. ft. per child indoors; 75 sq. ft. per child outdoors.
- **No provisions for Group Day Care Homes**
  - Provider caring for more than 8 children must meet day care center standards.

Unannounced Inspection Procedure

- Licensed homes inspected prior to licensing and at least annually thereafter if workload allows.
- Certified homes inspected according to state standards.
- When a complaint is filed, usually there is an unannounced site visit and investigation; then complaint substantiated or not.

Complaint Procedure

- To file a complaint, call licensing office.
- Consequences: correction plan required and monitored; department can order action, require monetary forfeitures, or revoke license.

Provider Qualifications
- FDC provider must be at least 18 years old.
- Initial physical exam required, provider required to have a negative TB skin test.
- No other requirements for immunization of provider and other adults in household.
- 2 references required.
- All applicants must fill out a notarized form concerning criminal background. Random criminal record checks of licensed programs regularly.

Provider Training and Orientation
- 40 hours of early childhood education required within 6 months of licensing and 15 hours annual in-service training required in order to maintain one's license.
- 10 hours of training in infant/toddler care is required within 6 months after accepting infants or toddlers.
- 15 hours of training required for certification.

Discipline Policy
- Corporal punishment and verbal abuse prohibited.

Emergency Medical Consent Policy
- Form is required, but it does not have to be notarized.

Immunization Policy for Children
- Children must be immunized; provider is responsible for seeing that records are current.

National Life Safety Fire Code Policy
- Codes based on uniform dwelling code.

Nutrition Policy
- WI Department of Public Instruction is state sponsor for USDA CACFP.
- Meals must meet 1/3 of daily nutritional requirements; snacks must meet nutritional standards.

Smoking Policy
- Smoking is not allowed indoors and outdoors, nor in vehicles when day care children are present.

Before and After School Programs
- A written agreement outlining the plan for a school age child to come and go is required.
- No overlap policy is allowed; child/staff ratios must be maintained.

Infant Care Programs
- Special regulations regarding staff training, daily program, feeding, diapering and toileting activities.

Programs for Children with Disabilities
- No special regulations.

Sick Child Care Programs
-Sick children cannot be in care, some exceptions made if there is a carefully planned program, which is separate from well children and specifically authorized after M.D. review.

Zoning Regulations
-FDCH must comply with local ordinances, but there is a state statute prohibiting municipalities from preventing licensed homes from operating where single-family residence is a permitted use.

Available Resources
-Start up technical assistance through private contract; support from network of child care resource and referral agencies; work with vocational educational system and university to offer entry level training and continuing education.

Local Contact
-County Dept. of Social Services - for certification.
-Regional offices, State Dept. of Health and Social Services - for licensing (4-8 children).

Pending/New Legislation
-None.

WYOMING

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Number of Homes

- **381** family day care homes.
- **361** group day care homes.
- Licensor-provider ratio: 1:93; licensors are also responsible for 218 day care centers.

Provider Regulations

- Licensing required; no fee.
- Social security number of provider is required.
- FDCH may have up to 6 children including own preschool age children. Infant care limited to 2 unless another adult is present; then infant capacity can be increased to 5.
- Licenses renewed annually.
- Provisional licenses are available for a maximum of 6 months and cannot be renewed. They can be issued permitting a provider to operate if they are temporarily unable to meet all required standards of if other required inspections are delayed.
- Liability insurance not required, but strongly recommended.
- Space requirements: 35 sq. ft. per child inside, 75 sq. ft per child outside.
- **Group Day Care Homes:**
  - Maximum of 11 children; staff ratio: 1:11, no more than 2 infants.
  - Must have fire and health inspections as well as a licensing inspection.

Unannounced Inspection Procedure

- Homes inspected before licensing; then annually (inspections are unannounced).

Complaint Procedure

- To file a complaint, call local DFS office.
- When a complaint has been filed, investigation of rules violations is by an unannounced visit.
- Consequences depend on seriousness of violation, can include license revocation.

Provider Training and Orientation

- 8 clock hours of training required annually as well as first aid training, and infant and child CPR.

Provider Qualifications

-Provider must be at least 19 years old.

-Provider must possess or have done at least one of the following: high school diploma or the equivalent, or be able to document 3+ months of supervised experience or education in care of children other than own (6+ months for providers in GFDC homes), or completed 5 clock hours of FDC training prior to certification, or have received a professional credential from nationally recognized organization.

-Physical exams and TB tests required for any household members who are active in caring for the children.

-No policy regarding immunization of adults.

-Three written references required.

-Child Abuse Central Registry check is done; no criminal record checks or fingerprinting required.

-A substitute for more than 24 hours per month must meet all the requirements.

-Provider is responsible for substitute or anyone else who comes in close contact with the day care while it is in operation.

Discipline Policy

-Corporal punishment prohibited.

Emergency Medical Consent Policy

-Form is required, but it does not have to be notarized.

Immunization Policy for Children

-Children are required to be immunized; provider is responsible to see that the records are current.

National Life Safety Fire Code Policy

-Not adopted.

Nutrition Policy

-WY Department of Education is state sponsor for CACFP.

-Nutritious meals and snacks are required.

Smoking Policy

-Smoking is allowed.

-Child Care Certification Board, an advisory board for DES, has adopted a position of a smoke-free environment. This will be considered with the next rule changes.

Before and After School Programs

-No special regulations.

-As space is available, providers are allowed 1-3 school age children for up to three hours over their capacity.

Infant Care Programs

-No special regulations.

Programs for Children with Disabilities

-No special regulations.

Sick Child Care Programs
-Regulations adopted excluding sick children in day care.

Zoning Regulations
-GDCH must comply with local zoning codes; fees incurred in special instances.

Available Resources
-Local associations, food programs, training and resource and referral.

Local Contact
-County Offices of the Division of Public Assistance and Social Services.

Pending/New Legislation
-None.

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IN
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